





The  
Formative  
Years



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# *The Formative Years*

A HISTORY OF THE UNITED STATES  
DURING THE ADMINISTRATIONS  
OF JEFFERSON AND MADISON



# *The Formative Years*

A HISTORY OF THE UNITED STATES  
DURING THE ADMINISTRATIONS  
OF JEFFERSON AND MADISON

*by Henry Adams*

CONDENSED AND EDITED

*by Herbert Agar*

VOLUME TWO

Illustrated by Maps



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| 1884      | <i>Esther, A Novel.</i> By Frances Snow Compton (pseud.).  |
| 1889      | <i>History of the United States of America during the First Administration of Thomas Jefferson.</i> 2 vols.  |
| 1890      | <i>History of the United States of America during the Second Administration of Thomas Jefferson.</i> 2 vols. |
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| 1930–1938 | <i>Letters of Henry Adams (1858–1918).</i> W. C. Ford, ed. 2 vols.   |
| 1947      | <i>Henry Adams and His Friends: A Collection of His Unpublished Letters.</i> Harold Dean Cater, ed.          |

BOOK THREE

*The Second Administration of Thomas Jefferson  
1805-1809*



## CHAPTER FIFTY-TWO

### *Measures of Defense*

ALL WINTER Congress waited for the result of Rose's negotiation. The huge majority, without leadership, split by divergent interests, a mere mob guided from the White House, showed little energy except for debate and no genius except for obedience.

The first political effect of the embargo was shown in the increased virulence of debate. The Act of December 22, passed on the spur of the moment, was powerless to prevent evasions in the seaports and left untouched the trade with Canada and Florida. A Supplementary Act was necessary; but to warrant a law for stopping all commerce by sea and land, the Government could no longer profess a temporary purpose of protecting ships, merchandise, and seamen, but must admit the more or less permanent nature of the embargo and the policy of using it as a means of peaceable coercion. The first Supplementary Act passed Congress as early as January 8, but applied only to coasting and fishing vessels, which were put under heavy bonds and threatened with excessive penalties in case of entering a foreign port or trading in foreign merchandise. Finding that this measure was not effective, and that neither England nor France showed a sign of relaxing the so-called system of retaliation, Government was obliged to complete its restrictions. February 11, the House instructed its Committee of Commerce to inquire what further legislation was necessary 'to prevent the exportation of goods, wares, and merchandise of foreign or domestic growth or manufacture to any foreign port or place.' The committee instantly reported a bill; and as Rose's negotiation broke down, February 19 the House went into committee to debate a second Supplementary Embargo Act, which was to stop by land and sea all commerce with the world.

No full and fair discussion of the subject was attempted; and the bill passed both Houses and was approved by the President March 12, without calling from the Government a hint in regard to the scope of its policy or the length of time during which the system of seclusion was to last. Jefferson could for the moment afford to disregard criticism. His experiment of peaceable coercion was sure of a trial. His control over

Congress seemed absolute. Only twenty-two members voted against the Supplementary Embargo Act and in the Senate no opposition was recorded.

With such influence Jefferson might promise himself success in any undertaking; and if he had at heart one object more momentous than the embargo, it was the punishment of Chief Justice Marshall for his treatment of Burr. As early as November 5, 1807, Senator Tiffin of Ohio began his career in the Senate by moving, as an amendment to the Constitution, that all judges of the United States should hold office for a term of years, and should be removed by the President on address by two-thirds of both Houses. Governor Tiffin's motion was not an isolated or personal act. The State Legislatures were invoked. Vermont adopted the amendment. The House of Delegates in Virginia, both branches of the Pennsylvania Legislature, the popular branch in Tennessee, and various other State Governments, in whole or in part, adopted the principle and urged it upon Congress. In the House, George W. Campbell moved a similar amendment January 30, and from time to time other Senators and Members made attempts to bring the subject forward.

Although the attack on the Supreme Court was more persistent and was carried further than ever before, it met with passive resistance which foreshadowed failure, and probably for this reason was allowed to exhaust its strength in the committee-rooms of Congress. The Chief Justice escaped without a wound. Under the shadow of the embargo he could watch in security the slow exhaustion of his antagonist. Jefferson had lost the last chance of reforming the Supreme Court. In another six months Congress would follow the will of some new Executive chief; and if in the full tide of Jefferson's power Marshall had repeatedly thwarted or defied him with impunity, the chance was small that another President would meet a happier fate.

On another point the divergence of ideas became marked, and Jefferson found himself obliged to strain his influence. In the Republican Party any vote for a standing army had been hitherto considered a crime. The Federalists in 1801 had left a force of five thousand men; Jefferson reduced it to three thousand. The Republican Party believed in a militia, but neglected it. Throughout the Southern States the militia was undisciplined and unarmed; but in Massachusetts, as President Jefferson was beginning to notice, the Federalists took much care of their State

soldiery. The United States fort at Newport was garrisoned only by goats, and the strategic line of Lake Champlain and the Hudson River, which divided New England from the rest of the Union, lay open to an enemy. In view of war with England, such negligence became wanton. Jefferson saw that an army must be raised: but many of his truest followers held that militia alone could be trusted and that the risk of conquest from abroad was better than the risk of military despotism at home.

For a people naturally brave, Americans often showed themselves surprisingly unwilling to depend upon their own strength. To defy danger, to rush into competition with every foreign rival, to take risks without number, and to depend wholly on themselves were admitted characteristics of Americans as individuals; but the same man who, when left to his own resources, delighted in proving his skill and courage, when brought within the shadow of Government never failed to clamor for protection. As a political body the American people shrank from tests of its own capacity. ‘American systems’ of politics, whether domestic or foreign, were systems for evading competition. The American system in which the old Republican Party believed was remarkable for avowing want of self-confidence as the foundation of domestic as well as of foreign policy. The Republican Party stood alone in refusing, on principle, to protect national rights from foreign outrage; but it defied imitation when the sacrifice of national rights was justified by the argument that if American liberties were not abandoned to foreign nations, they would be destroyed by the people themselves. War, which every other nation in history had looked upon as the first duty of a State, was in America a subject for dread, not so much because of possible defeat as of probable success.

President Jefferson sent to Congress a Message asking for an immediate addition of six thousand men to the regular army. No such blow had ever been given to the established practices of Republican administration. Ten years before, every leader of the party had denounced the raising of twelve regiments at a time of actual hostilities with France, although the law limited their service to the term of the expected war. The eight regiments demanded by Jefferson were to be raised for five years in a time of peace. The Southern Republicans saw themselves required to walk, publicly and avowedly, in the footsteps of their monarchical predecessors; while John Randolph stood by and jeered at them.

Yet Randolph approved the embargo as little as he liked the army and navy.

I am not one of those who approve the embargo [he said]. It gives up to Great Britain all the seamen and all the commerce — their feet are not now upon your decks, for your vessels are all riding safely moored along your slips and wharves; and this measure absolutely gives Agriculture a blow which she cannot recover till the embargo is removed. What has become of your fisheries? Some gentleman has introduced a proposition for buying their fish to relieve the fishermen. Indeed, I would much sooner assent to buying their fish than to raising these troops, except indeed we are raising the troops to eat the fish.

Randolph broke into shrill laughter at his own joke, delighted with the idea of six thousand armed men paid to eat the fish that were rotting on the wharves at Gloucester and Marblehead.

Keenly as Randolph enjoyed the pleasure of ridiculing his colleagues and friends, he could expect to gain no votes. George W. Campbell and the other Administration speakers admitted that the embargo might yield to war and that an army had become necessary. Even Eppes had the courage to defy ridicule, and in full recollection of having vowed to God February 17 that as long as he lived he would vote down a regular army, he rose April 7 to support the bill for raising eight regiments.

On the same day the bill passed by a vote of ninety-five to sixteen, and the Republican Party found itself poorer by the loss of one more traditional principle. Events were hurrying the Government toward dangers which the party had believed to be preventable under the system invented by Virginia and Pennsylvania. In 1804, Jefferson wrote to Madison: 'It is impossible that France and England should combine to any purpose.' The impossible had happened, and every practice founded on the theory of mutual jealousy between European Powers became once more a subject of dispute. On the day of Rose's departure, Jefferson, abandoning the secrecy in which until that moment he had wrapped his diplomacy, sent to Congress a mass of diplomatic correspondence with England and France, running back to the year 1804. A few days later, March 30, he sent a secret Message accompanied by documents which gave to Congress, with little exception, everything of importance that had passed between the Governments. Only one subject was kept back:—the tenebrous negotiation for Florida remained secret.

From these documents Congress could see that the time for talking of theories of peace and friendship or of ordinary commercial interests had passed. Violence and rapine marked every page of the latest correspondence. February 23, Erskine had at last notified the Government officially of the existence and purpose of the Orders in Council. His note repeated the words of Canning's instructions. After asserting that America had submitted to the French Decrees, and had thereby warranted England in forbidding if she pleased all American commerce with France, Erskine pointed out that the Orders in Council, by not prohibiting but limiting this commerce, gave proof of His Majesty's amicable disposition. The Americans might still transport French and Spanish colonial produce to England and re-export it to the Continent of Europe under certain regulations.

From this note — a model of smooth-spoken outrage — Congress could understand that until the King of England should make other regulations American commerce was to be treated as subject to the will and interest of Great Britain. At the same moment Congress was obliged to read a letter from Champagny to Armstrong, dated January 15, 1808, in defense of the Berlin and Milan Decrees. Written in words dictated by Napoleon, this letter asserted rude truths which irritated Americans the more because they could not be denied:

The United States, more than any other Power, have to complain of the aggressions of England. It has not been enough for her to offend against the independence of their flag — nay, against that of their territory and of their inhabitants — by attacking them even in their ports, by forcibly carrying away their crews; her decrees of the 11th November have made a fresh attack on their commerce and on their navigation as they have done on those of all other Powers.

In the situation in which England has placed the Continent, especially since her decrees of the 11th November, His Majesty has no doubt of a declaration of war against her by the United States. Whatever transient sacrifices war may occasion, they will not believe it consistent either with their interest or dignity to acknowledge the monstrous principle and the anarchy which that Government wishes to establish on the seas. If it be useful and honorable for all nations to cause the true maritime law of nations to be re-established, and to avenge the insults committed by England against every flag, it is indispensable for the United States, who from the extent of their commerce have oftener to complain of those violations. War exists then in fact between England and the United States; and His

Majesty considers it as declared from the day on which England published her decrees.

Two such letters could hardly have been written to the chief of an independent people and submitted to a free legislature in Europe without producing a convulsion. Patient as Congress was, the temper excited by Champagny's letter obliged the President, April 2, to withdraw the injunction of secrecy after the House had twice rejected a motion to do so without his permission; but the motive of the Federalists in publishing Champagny's letter was not so much to resent it as to divert popular anger from England to France. No outburst of national self-respect followed the appearance of the two letters. During the next week the House debated and passed the bill for raising the army to ten thousand men, but on all sides the friends and opponents of the measure equally deprecated war.

The Senate passed a bill authorizing the President during the recess to suspend the embargo in whole or in part if in his judgment the conduct of the belligerent Powers should render suspension safe. After a hot debate, chiefly on the constitutionality of the measure, it passed the House, and April 22 became law. April 25 the session ended.

As the result of six months' labor, Congress could show besides the usual routine legislation a number of Acts which made an epoch in the history of the Republican Party. First came the Embargo, its two Supplements, and the Act empowering the President to suspend it at will. Next came the series of appropriation Acts which authorized the President to spend in all four million dollars in excess of the ordinary expenditures — for gunboats, eight hundred and fifty thousand dollars; for land fortifications, one million; for five new regiments of infantry, one of riflemen, one of light artillery, and one of light dragoons, two million dollars; and two hundred thousand dollars for arming the militia. Such progress toward energy was more rapid than could have been expected from a party like that which Jefferson had educated and which he still controlled.

## CHAPTER FIFTY-THREE.

### *The Rise of a British Party*

**T**HIS SIX MONTHS' SESSION has worn me down to a state of almost total incapacity for business,' wrote President Jefferson to his Attorney-General. 'Congress will certainly rise tomorrow night, and I shall leave this for Monticello on the fifth of May, to be here again on the eighth of June.' More earnestly than ever he longed for repose and good-will. 'For myself,' he said, 'I have nothing further to ask of the world than to preserve in retirement so much of their esteem as I may have fairly earned and to be permitted to pass in tranquillity, in the bosom of my family and friends, the days which yet remain to me.' He could not reasonably ask from the world more than he had already received from it; but a whole year remained, during which he must still meet whatever demand the world should make upon him. He had brought the country to a situation where war was impossible for want of weapons and peace was only a name for passive war. He was bound to carry the Government through the dangers he had braved; and for the first time in seven years American democracy, struck with sudden fear of failure, looked to him in doubt and trembled for its hopes.

Fortunately for Jefferson's ease, no serious opposition was made in the Republican Party to his choice of a successor. Giles and Nicholas, who managed Madison's canvass in Virginia, caused a caucus to be held, January 21, at Richmond, where one hundred and twenty-three members of the State Legislature joined in nominating electors for Madison. Randolph's friends held another caucus, at which fifty-seven members of the same Legislature joined in nominating electors for Monroe. To support the Virginia movement for Madison, a simultaneous caucus was held at Washington, where, January 20, Senator Bradley of Vermont issued a printed circular inviting the Republican members of both Houses to consult, January 23, respecting the next Presidential election. Bradley's authority was disputed by Monroe's partisans, and only Madison's friends, or indifferent persons, obeyed the call. Eighty-nine Senators and Members attended; and on balloting, eighty-three votes were given for Madison as President, seventy-nine for George Clinton as Vice-President; but the names of the persons present were never published

and the caucus itself seemed afraid of its own action. About sixty Republican Members or Senators held aloof. John Randolph and sixteen of his friends published a protest against the caucus and its candidate:

We ask for energy, and we are told of his moderation. We ask for talents, and the reply is his unassuming merit. We ask what were his services in the cause of public liberty, and we are directed to the pages of the *Federalist*, written in conjunction with Alexander Hamilton and John Jay, in which the most extravagant of their doctrines are maintained and propagated. We ask for consistency as a Republican, standing forth to stem the torrent of oppression which once threatened to overwhelm the liberties of the country. We ask for that high and honorable sense of duty which would at all times turn with loathing and abhorrence from any compromise with fraud and speculation. We ask in vain.

George Clinton, who had yielded unwillingly to Jefferson, held Madison in contempt. While Monroe set up a Virginia candidacy which the Republicans of Randolph's school supported, George Clinton set up a candidacy of his own, in New York, supported by Cheetham's *Watch-Tower*, and by a portion of the country press. Before long, the public was treated to a curious spectacle. The regular party candidate for the Vice-Presidency became the open rival of the regular candidate for the Presidency. Clinton's newspapers attacked Madison without mercy, while Madison's friends were electing Clinton as Madison's Vice-President.

In this state of things successful opposition to Madison depended upon the union of his enemies in support of a common candidate. Not only must either Monroe or Clinton retire, but one must be able to transfer his votes to the other; and the whole Federalist Party must be induced to accept the choice thus made. The Federalists were not unwilling; but while they waited for the politicians of Virginia and New York to arrange the plan of campaign, they busied themselves with recovering control of New England, where they had been partially driven from power. The embargo offered them almost a certainty of success.

From the first moment of the embargo, even during the secret debate of December 19, 1807, its opponents raised the cry of French influence; and so positively and persistently was Jefferson charged with subservience to Napoleon that, while a single Federalist lived, this doctrine continued to be an article of his creed. In truth, Jefferson had never stood on worse

terms with France than when he imposed the embargo. He acted in good faith when he enclosed Armstrong's letter and Regnier's decision in his Embargo Message.

The interests of the Federalists required them to assert the subservience of Jefferson to France. They did so in the most positive language, without proof, and without attempting to obtain proof. Had this been all, they would have done no worse than their opponents had done before them; but they also used the pretext of Jefferson's devotion to France in order to cover and justify their own devotion to England.

After the failure of Rose, in the month of February, to obtain further concessions from Madison, the British envoy cultivated more closely the friendship of Senator Pickering, and even followed his advice. As early as March 4 he wrote to his Government on the subject:

It is apprehended, should this Government be desirous that hostilities should take place with England, it will not venture to commence them, but will endeavor to provoke her to strike the first blow. In such a case it would no doubt adopt highly irritating measures. On this head I beg leave, but with great diffidence, to submit the views which I have formed here, and which I find coincide completely with those of the best and most enlightened men of this country, and who consider her interests as completely identified with those of Great Britain. I conceive it to be of extreme importance in the present state of the public mind in this nation, and especially as operated upon by the embargo, such as I have endeavored to represent it in preceding dispatches, to avoid if possible actual warfare — should it be practicable consistently with the national honor, to do no more than retort upon America any measures of insolence and injury falling short of it which she may adopt. Such a line of conduct would, I am persuaded, render completely null the endeavors exerted to impress upon the public mind here the persuasion of the inveterate rancor with which Great Britain seeks the destruction of America, and would turn their whole animosity — goaded on, as they would be, by the insults and injuries offered by France, and the self-inflicted annihilation of their own commerce — against their own Government, and produce an entire change in the politics of the country.

'The best and most enlightened men of the country' — who 'considered her interests as completely identified with those of Great Britain,' and who thus concerted a policy intended to bring themselves into power as agents of Spencer Perceval and Lord Castlereagh — were Senator Pickering and his friends. To effect this coalition with the British

Ministry, Pickering exerted himself to the utmost. He held out a confident hope that the embargo would end in an overthrow of the Administration, and that a change in the head of the Government would alter its policy ‘in a manner propitious to the continuance of peace.’ A few days afterward, he placed in Rose’s hands two letters from George Cabot. Finally, on the eve of Rose’s departure, March 22, he gave the British envoy a letter to Samuel Williams of London. ‘Let him, if you please, be the medium of whatever epistolary intercourse may take place between you and me.’

To these advances Rose replied in his usual tone of courteous superiority:

It is not to you that I need protest that rancorous impressions of jealousy or ill-will have never existed there; but it is to be feared that at some time or another the extremest point of human forbearance may be reached. Yet at the present moment there is, I think, a peculiarity of circumstances most strange, indeed, which enables the offended party to leave his antagonist to his own suicidal devices, unless, in his contortions under them, he may strike some blow which the other might not be able to dissemble.

No Senator of the United States could submit, without some overpowering motive, to such patronage. That Pickering should have invited it was the more startling because he knew better than any other man in America the criminality of his act. Ten years before, at a time when Pickering was himself Secretary of State, the Pennsylvania Quaker, Doctor Logan, attempted, with honest motives, to act as an amateur negotiator between the United States Government and that of France. In order to prevent such mischievous follies for the future, Congress, under the inspiration of Pickering, passed a law, known as ‘Logan’s Act,’ which still stood on the statute book:

Every citizen of the United States, whether actually resident or abiding within the same, or in any foreign country, who, without the permission or authority of the Government, directly or indirectly commences or carries on any verbal or written correspondence or intercourse with any foreign Government, or any officer or agent thereof, with an intent to influence the measures or conduct of any foreign Government, or of any officer or agent thereof, in relation to any disputes or controversies with the United States, or to defeat the measures of the Government of the United States; and every person . . . who counsels, advises, or assists in

any such correspondence, with such intent, shall be punished by a fine of not more than five thousand dollars, and by imprisonment during not less than six months, nor more than three years.

When Pickering defied fine and imprisonment under his own law, in order to make a concert of political action with George Canning to keep the British Government steady in aggression, he believed that his end justified his means; and he avowed his end to be the bringing of his friends into power. For this purpose he offered himself to Canning as the instrument for organizing what was in fact a British party in New England, asking in return only the persistence of Great Britain in a line of policy already adopted, which was sure to work against the Republican rule. Pickering knew that his conduct was illegal; but he had in his hands an excuse which justified him, as he chose to think, in disregarding the law. He persuaded himself that Jefferson was secretly bound by an engagement with Napoleon to effect the ruin of England.

Then came Pickering's master-stroke. The April election — which would decide the political control of Massachusetts for the coming year and the choice of a Senator in the place of J. Q. Adams — was close at hand. February 16, the day when Rose's negotiation broke down, Pickering sent to Governor Sullivan of Massachusetts a letter intended for official communication to the State Legislature. 'I may claim some share of attention and credit,' he began — 'that share which is due to a man who defies the world to point, in the whole course of a long and public life, at one instance of deception, at a single departure from Truth.' He entered into speculations upon the causes which had led Congress to impose the embargo. Omitting mention of the Orders in Council, he showed that the official reasons presented in the President's Embargo Message were not sufficient to justify the measure, and that some secret motive must lie hidden from public view:

Has the French Emperor declared that he will have no neutrals? Has he required that our ports, like those of his vassal States in Europe, be shut against British commerce? Is the embargo a substitute, a milder form of compliance, with that harsh demand, which, if exhibited in its naked and insulting aspect, the American spirit might yet resent? Are we still to be kept profoundly ignorant of the declarations and avowed designs of the French Emperor, although these may strike at our liberty and independence? And in the meantime are we, by a thousand irritations,

by cherishing prejudices, and by exciting fresh resentments, to be drawn gradually into a war with Great Britain?

Never was Jefferson's sleight-of-hand more dexterously turned against him than in this unscrupulous appeal to his own official language. In all Pickering's voluminous writings this letter stood out alone, stamped by a touch of genius.

By false policy [he continued], or by inordinate fears, our country may be betrayed and subjugated to France as surely as by corruption. I trust, sir, that no one who knows me will charge it to vanity when I say that I have some knowledge of public men and of public affairs; and on that knowledge, and with solemnity, I declare to you that I have no confidence in the wisdom or correctness of our public measures; that our country is in imminent danger; that it is essential to the public safety that the blind confidence in our rulers should cease; that the State Legislatures should know the facts and the reasons on which important general laws are founded; and especially that those States whose farms are on the ocean and whose harvests are gathered in every sea should immediately and seriously consider how to preserve them.

To those Federalist leaders who had been acquainted with the plans of 1804, the meaning of this allusion to the commercial States could not be doubtful. Least of all could Pickering's colleague in the Senate, who had so strenuously resisted the disunion scheme, fail to understand the drift of Pickering's leadership. John Quincy Adams, at whose growing influence this letter struck, had been from his earliest recollection, through his father's experience or his own, closely connected with political interests. During forty years he had been the sport of public turbulence, and for forty years he was yet to undergo every vicissitude of political failure and success; but in the range of his checkered life he was subjected to no other trial so severe as that which Pickering forced him to meet. In the path of duty he might doubtless face social and political ostracism, even in a town such as Boston then was, and defy it. Men as good as he had done as much, in many times and places; but to do this in support of a President whom he disliked and distrusted, for the sake of a policy in which he had no faith, was enough to shatter a character of iron. Fortunately for him, his temper was not one to seek relief in halfway measures. He had made a mistake in voting for an embargo without limit of time; but since no measure of resistance to Europe more vigorous

than the embargo could gain support from either party, he accepted and defended it. He attended the Republican caucus January 23, and voted for George Clinton as President; and when Pickering flung down his challenge in the letter of February 16, Adams instantly took it up.

Governor Sullivan naturally declined to convey Senator Pickering's letter to the Legislature; but a copy had been sent to George Cabot, who caused it, March 9, to be published. The effect was violent. Passion took the place of reason and swept the Federalists into Pickering's path. Governor Sullivan published a vigorous reply, but lost his temper in doing so and became abusive where he should have been cool. When Pickering's letter was received at Washington, Adams wrote an answer, which reached Boston barely in time to be read before the election. He went over the history of the embargo; pointed out its relation to the Orders in Council; recapitulated the long list of English outrages; turned fiercely upon the British infatuation of Pickering's friends, and called upon them to make their choice between embargo and war:

If any statesman can point out another alternative I am ready to hear him, and for any practicable expedient to lend him every possible assistance. But let not that expedient be submission to trade under British licenses and British taxation. We are told that even under these restrictions we may yet trade to the British dominions, to Africa and China, and with the colonies of France, Spain, and Holland. I ask not how much of this trade would be left when our intercourse with the whole Continent of Europe being cut off would leave us no means of purchase and no market for sale. I ask not what trade we could enjoy with the colonies of nations with which we should be at war. I ask not how long Britain would leave open to us avenues of trade which even in these very Orders of Council she boasts of leaving open as a special indulgence. If we yield the principle, we abandon all pretense to national sovereignty.

Thus the issue between a British and American party was sharply drawn. Governor Sullivan charged Pickering with an attempt to excite sedition and rebellion and to bring about a dissolution of Government. Adams made no mention of his colleague's name. In Massachusetts the modern canvass was unknown; newspapers and pamphlets took the place of speeches; the pulpit and tavern bar were the only hustings; and the public opinions of men in high official or social standing weighed heavily. The letters of Pickering, Sullivan, and Adams penetrated every part of the State and on the issues raised by them the voters made their choice.

The result showed that Pickering's calculation on the embargo was sound. He failed to overthrow Governor Sullivan, who won his re-election by a majority of some twelve hundred in a total vote of about eighty-one thousand; but the Federalists gained in the new Legislature a decided majority, which immediately elected James Lloyd to succeed J. Q. Adams in the Senate and adopted resolutions condemning the embargo. Adams instantly resigned his seat. The Legislature chose Lloyd to complete the unfinished term.

Thus, the great State of Massachusetts fell back into Federalism. All, and more than all, that Jefferson's painful labors had gained, his embargo in a few weeks wasted. Had the evil stopped there no harm need have been feared; but the reaction went far beyond that point. The Federalists of 1801 were the national party of America; the Federalists of 1808 were a British faction in secret league with George Canning. The alliance between the New England Federalists and the British Tories was made. Nothing remained but to concentrate against Jefferson the forces at their command.

## CHAPTER FIFTY-FOUR

### *The Enforcement of Embargo*

**T**HE EMBARGO had lasted less than four months, when April 19 the President at Washington was obliged to issue a proclamation announcing that on Lake Champlain and in the adjacent country persons were combined for the purpose of forming insurrections against the laws and that the military power of the Government must aid in quelling such insurrections.

Reports of this open defiance and insurrection on the Canada frontier reached Washington at the same time with other reports which revealed endless annoyances elsewhere. If the embargo was to coerce England or France, it must stop supplies to the West Indian colonies and prevent the escape of cotton or corn for the artisans of Europe. The embargo aimed at driving England to desperation, but not at famishing America; yet the President found himself at a loss to do the one without doing the other. Nearly all commerce between the States was by coasting-vessels. If the coasting-trade should be left undisturbed, every schooner that sailed from an American port was sure to allege that by stress of weather or by the accidents of navigation it had been obliged to stop at some port of Nova Scotia or the West Indies and there to leave its cargo. Only the absolute prohibition of the coasting-trade could prevent these evasions; but to prohibit the coasting-trade was to sever the Union. The political tie might remain, but no other connection could survive. Without the coasting-trade New England would be deprived of bread, and her industries would perish; Charleston and New Orleans would stagnate in unapproachable solitude.

Jefferson proclaimed the existence of an insurrection on the Canadian frontier shortly before the adjournment of Congress. Immediately after the adjournment, he took in hand the more serious difficulties of the coasting-trade. The experiment of peaceable coercion was at last to have full trial, and Jefferson turned to the task with energy that seemed to his friends excessive, but expressed the vital interest he felt in the success of a theory on which his credit as a statesman depended. The crisis was peculiarly his own; and he assumed the responsibility for every detail of its management.

May 6 the President wrote to Gallatin a letter containing general directions to detain in port every coasting-vessel which could be regarded as suspicious. His orders were sweeping. The power of the embargo as a coercive weapon was to be learned.

On the same day with the letter of May 6 to the Secretary of the Treasury, the President wrote a circular to the Governors of New Hampshire, Massachusetts, South Carolina, Georgia, and Orleans — portions of the Union which consumed more wheat than they produced — requesting them to issue certificates for such quantities of flour as were likely to be needed beyond their local supply. The certificates, directed to the collector of some port usually exporting flour, were to be issued to ‘any merchant in whom you have confidence.’ All other shipments of produce were objects of suspicion.

Governor Sullivan of Massachusetts, under the President’s circular, issued certificates before July 15 to the amount of fifty thousand barrels of flour and one hundred thousand bushels of corn, besides rice and rye. Gallatin complained to the President, who instantly wrote to the Governor of Massachusetts an order to stop importing provisions:

As these supplies, although called for within the space of two months, will undoubtedly furnish the consumption of your State for a much longer time, I have thought advisable to ask the favor of your Excellency, after the receipt of this letter, to discontinue issuing any other certificates, that we may not unnecessarily administer facilities to the evasion of the embargo laws.

That Massachusetts, already on the brink of rebellion, should tolerate such dictation could hardly be expected; and it was fortunate for Jefferson that the Federalists had failed to elect a Governor of their own stripe. Even Sullivan, Democrat as he was, could not obey the President’s request, and excused his disobedience in a letter which was intended to convince Jefferson that the people of Massachusetts were the best judges of the amount of food they needed.

Sullivan admitted that the habits of the Massachusetts people, contracted under the royal government and still continued, led to the evasion of commercial laws; but he told the President what would be the result of an arbitrary interference with their supplies of food:

You may depend upon it that three weeks after these certificates shall be refused, an artificial and actual scarcity will involve this State in mobs,

riots, and convulsions, pretendedly on account of the embargo. Your enemies will have an additional triumph and your friends suffer new mortifications.

Jefferson resented Sullivan's conduct. A few days afterward he wrote to General Dearborn, the Secretary of War, who was then in Maine, warning him to be ready to support the measure which Sullivan had declined to adopt.

Blood was soon shed, but Jefferson did not shrink. The new army was stationed along the Canada frontier. The gunboats and frigates patrolled the coast. On every side dangers and difficulties accumulated. 'I did not expect a crop of so sudden and rank growth of fraud and open opposition by force could have grown up in the United States.' At Newburyport an armed mob on the wharf prevented the custom-house officers from detaining a vessel about to sail. The collectors and other officers were ill-disposed or were harassed by suits at law for illegal detentions. Rebellion and disunion stared Jefferson in the face, but only caused him to challenge an outbreak and to invite violence.

The Federalists knew when to rebel. They meant first to overthrow Jefferson himself, and were in a fair way to gratify their wish; for the people of New England — Republican and Federalist alike — were rapidly rallying to common hatred of the President. As winter approached, the struggle between Jefferson and Massachusetts became on both sides vindictive. He put whole communities under his ban. He stopped the voyage of every vessel 'in which any person is concerned, either in interest or in navigating her, who has ever been concerned in interest or in the navigation of a vessel which has at any time before entered a foreign port contrary to the views of the embargo laws, and under any pretended distress or duress whatever.'

Of all the old Republican arguments for a policy of peace, the commonest was that a standing army would be dangerous, not to foreign enemies, but to popular liberties; yet the first use of the new army and gunboats was against fellow-citizens. New England was chiefly controlled by the navy; but in New York the army was needed and was employed. Open insurrection existed there. Besides forcible resistance offered to the law, no one was ignorant that the collectors shut their eyes to smuggling, and that juries, in defiance of court and President, refused to indict rioters. Governor Tompkins announced that Oswego was in active in-

surrection, and called on the President to issue a proclamation to that effect. Jefferson replied by offering to take into the United States service the militia required to suppress the riots and begged Governor Tompkins to lead his troops in person. ‘I think it so important in example to crush these audacious proceedings, and to make the offenders feel the consequences of individuals daring to oppose a law by force, that no effort should be spared to compass this object.’

The President seemed alone to feel this passionate earnestness on behalf of the embargo. His Cabinet looked on with alarm and disgust. Madison took no share in the task of enforcement. Robert Smith sent frigates and gunboats hither and thither, but made no concealment of his feelings. ‘Most fervently,’ he wrote to Gallatin, ‘ought we to pray to be relieved from the various embarrassments of this said embargo. Upon it there will in some of the States, in the course of the next two months, assuredly be engendered monsters. Would that we could be placed on proper ground for calling in this mischief-making busy-body.’ Smith talked freely, while Gallatin, whose opinion was probably the same, said little, and labored to carry out the law, but seemed at times disposed to press on the President’s attention the deformities of his favorite monster.

I am perfectly satisfied [wrote Gallatin to the President July 29] that if the embargo must be persisted in any longer, two principles must necessarily be adopted in order to make it sufficient: First, that not a single vessel shall be permitted to move without the special permission of the Executive; second, that the collectors be invested with the general power of seizing property anywhere, and taking the rudders, or otherwise effectually preventing the departure of any vessel in harbor, though ostensibly intended to remain there — and that without being liable to personal suits. I am sensible that such arbitrary powers are equally dangerous and odious; but a restrictive measure of the nature of the embargo, applied to a nation under such circumstances as the United States, cannot be enforced without the assistance of means as strong as the measure itself.

I mean generally to express an opinion [continued the Secretary], founded on the experience of this summer, that Congress must either invest the Executive with the most arbitrary powers and sufficient force to carry the embargo into effect, or give it up altogether.

That Jefferson should permit a member of his Cabinet to suggest the assumption of ‘the most arbitrary powers’; that he should tolerate the

idea of using means ‘equally dangerous and odious’ — seemed incredible: but his reply showed no sign of offense. He instantly responded:

I am satisfied with you that if Orders and Decrees are not repealed, and a continuance of the embargo is preferred to war (which sentiment is universal here), Congress must legalize all means which may be necessary to obtain its end.

If repeated and menacing warnings from the people, the State authorities, and officers of the National Government failed to produce an impression on the President’s mind, he was little likely to regard what came from the Judiciary; yet to a Virginia Republican of 1798 no question could have deeper interest than that of the constitutionality of the embargo. The subject had already been discussed in Congress, and had called out a difference of opinion. There, Randolph argued against the constitutionality in a speech never reported, which turned on the distinction between regulating commerce and destroying it; between restriction limited in time and scope and an interdict absolute and permanent. The opponents of the embargo system, both Federalists and Republicans, took the same ground. The Constitution, they said, empowered Congress ‘to *regulate* commerce with foreign nations, and among the several States, and with the Indian tribes’; but no one ever supposed it to grant Congress the power to *prohibit* commerce with foreign nations, and among the several States, and with the Indian tribes. Had such words been employed, the Constitution could not have gained the vote of a single State.

History has nothing to do with law except to record the development of legal principles. The question whether the embargo was or was not constitutional depended for an answer on the decision of Congress, President, and Judiciary, and the assent of the States. Whatever unanimous decision these political bodies might make, no matter how extravagant, was law until it should be reversed. No theory could control the meaning of the Constitution; but the relation between facts and theories was a political matter, and between the embargo and the old Virginia theory of the Constitution no relation could be imagined. Whatever else was doubtful, no one could doubt that, under the doctrine of States-rights and the rules of strict construction, the embargo was unconstitutional. Only by the widest theories of liberal construction could its constitutionality be sustained.

The arguments in its favor were arguments which had been once regarded as fatal to public liberty. The first was made by Richard M. Johnson of Kentucky: 'If we have power to lay an embargo for one day, have we not the power to renew it at the end of that day? If for sixty days, have we not the power to renew it again? Would it not amount to the same thing? If we pass a law to expire within a limited term, we may renew it at the end of that term; and there is no difference between a power to do this, and a power to pass laws without specified limit.' This principle, if sound, might be applied to the right of habeas corpus or of free speech, to the protection of American manufactures or to the issue of paper money as a legal tender; and whenever such application should be made, the Union must submit to take its chance of the consequences sure to follow the removal of specified limits to power. Another argument was used by David R. Williams, a representative South Carolinian. 'The embargo is not an annihilation but a suspension of commerce,' he urged, 'to regain the advantages of which it has been robbed.' If Congress had the right to regulate commerce for such a purpose in 1808, South Carolina seemed to have no excuse for questioning, twenty years later, the constitutionality of a protective system.

This reasoning was supported by an immense majority in both Houses of Congress; was accepted as sound by the Executive, and roused no protest from the Legislature of any Southern State. So far as concerned all these high political authorities, the principle was thus settled that the Constitution, under the power to regulate commerce, conferred upon Congress the power to suspend foreign commerce forever; to suspend or otherwise regulate domestic and interstate commerce; to subject all industry to governmental control, if such interference in the opinion of Congress was necessary or proper for carrying out its purpose; and finally, to vest in the President discretionary power to execute or to suspend the system, in whole or in part.

The Judiciary had still to be consulted. In the September Term, 1808, an embargo case was argued at Salem before John Davis, judge of the District Court for Massachusetts; and Samuel Dexter, the ablest lawyer in New England, urged the constitutional objections to the embargo with all the force that ability and conviction could give. No sounder Federalist than Judge Davis sat on the bench; but although the newspapers of his party were declaiming against the constitutionality of

the law, and although Chief Justice Parsons, of the Massachusetts Supreme Court, the most eminent legal authority in the State, lent his private influence on the same side, Judge Davis calmly laid down the old Federalist rule of broad construction. His opinion, elaborately argued and illustrated, was printed in every newspaper.

In the Federalist spirit the Judge invoked the 'necessary and proper' clause, which had been the cloak for every assumption of doubtful powers; and then passed to the doctrine of 'inherent sovereignty,' the radical line of division between the party of President Washington and that of President Jefferson:

Further, the power to regulate commerce is not to be confined to the adoption of measures exclusively beneficial to commerce itself or tending to its advancement; but in our national system, as in all modern sovereignties, it is also to be considered as an instrument for other purposes of general policy and interest. The mode of its management is a consideration of great delicacy and importance; but the national right or power, to adapt regulations of commerce to other purposes than the mere advancement of commerce appears to me unquestionable.

After drawing these conclusions from the power to regulate commerce, the Judge went a step further, and summoned to his aid the spirits which haunted the dreams of every true Republican — the power of war, and necessity of State:

Congress has power to declare war. It of course has power to prepare for war; and the time, the manner, and the measure, in the application of constitutional means, seem to be left to its wisdom and discretion. Foreign intercourse becomes in such times a subject of peculiar interest, and its regulation forms an obvious and essential branch of federal administration. . . . It seems to have been admitted in the argument that State necessity might justify a limited embargo, or suspension of all foreign commerce; but if Congress have the power, for purposes of safety, of preparation, or counteraction, to suspend commercial intercourse with foreign nations, where do we find them limited as to the duration more than as to the manner and extent of the measure?

Against this remarkable decision Dexter did not venture to appeal. Strong as his own convictions were, he knew the character of Chief Justice Marshall's law too well to hope for success at Washington.

Yet the embargo, in spite of Executive, legislative, judicial, and State authorities, rankled in the side of the Constitution. Even Joseph Story,

though in after life a convert to Marshall's doctrines, could never wholly reconcile himself to the legislation of 1808.

I have ever [he wrote] considered the embargo a measure which went to the utmost limit of constructive power under the Constitution. It stands upon the extreme verge of the Constitution, being in its very form and terms an unlimited prohibition or suspension of foreign commerce.

That President Jefferson should exercise 'dangerous and odious' powers, carrying the extremest principles of his Federalist predecessors to their extremest results; that he should in doing so invite bloodshed, strain his military resources, quarrel with the State authorities of his own party and with judges whom he had himself made; that he should depend for constitutional law on Federalist judges whose doctrines he had hitherto believed fatal to liberty — these were the first fruits of the embargo. After such an experience, if he or his party again raised the cry of States-rights, or of strict construction, the public might, with some foundation of reason, set such complaints aside as factious and frivolous, and even, in any other mouth than that of John Randolph, as treasonable.

## CHAPTER FIFTY-FIVE

### *The Cost of Embargo*

THE EMBARGO was an experiment in politics well worth making. In the scheme of President Jefferson's statesmanship, non-intercourse was the substitute for war — the weapon of defense and coercion which saved the cost and danger of supporting army or navy and spared America the brutalities of the Old World. Failure of the embargo meant in his mind not only a recurrence to the practice of war, but to every political and social evil that war had always brought in its train. In such a case the crimes and corruptions of Europe, which had been the object of his political fears, must, as he believed, sooner or later teem in the fat soil of America. To avert a disaster so vast was a proper motive for statesmanship and justified disregard for smaller interests.

Everywhere, on all occasions, he proclaimed that embargo was the alternative to war. The question next to be decided was brought by this means into the prominence it deserved. Of the two systems of statesmanship, which was the most costly — which the most efficient?

The dread of war, radical in the Republican theory, sprang not so much from the supposed waste of life or resources as from the retroactive effects which war must exert upon the form of government; but the experience of a few months showed that the embargo as a system was rapidly leading to the same effects. Indeed, the embargo and the Louisiana Purchase taken together were more destructive to the theory and practice of a Virginia Republic than any foreign war was likely to be. Personal liberties and rights of property were more directly curtailed in the United States by embargo than in Great Britain by centuries of almost continuous foreign war. No one denied that a permanent embargo strained the Constitution to the uttermost tension; and even the Secretary of the Treasury and the President admitted that it required the exercise of most arbitrary, odious, and dangerous powers. From this point of view the system was quickly seen to have few advantages. If American liberties must perish, they might as well be destroyed by war as be stifled by non-intercourse.

While the constitutional cost of the two systems was not altogether unlike, the economical cost was a point not easily settled. No one could

say what might be the financial expense of embargo as compared with war. Yet Jefferson himself in the end admitted that the embargo had no claim to respect as an economical measure.

The economical was less serious than the moral problem. The strongest objection to war was not its waste of money or even of life; for money and life in political economy were worth no more than they could be made to produce. A worse evil was the lasting harm caused by war to the morals of mankind, which no system of economy could calculate. The reign of brute force and brutal methods corrupted and debauched society, making it blind to its own vices and ambitious only for mischief. Yet even on that ground the embargo had few advantages. The peaceable coercion which Jefferson tried to substitute for war was less brutal, but hardly less mischievous, than the evil it displaced. The embargo opened the sluice-gates of social corruption. Every citizen was tempted to evade or defy the laws. At every point along the coast and frontier the civil, military, and naval services were brought in contact with corruption; while every man in private life was placed under strong motives to corrupt. Every article produced or consumed in the country became an object of speculation; every form of industry became a form of gambling. The rich could alone profit in the end; while the poor must sacrifice at any loss the little they could produce.

If war made men brutal, at least it made them strong; it called out the qualities best fitted to survive in the struggle for existence. To risk life for one's country was no mean act even when done for selfish motives; and to die that others might more happily live was the highest act of self-sacrifice to be reached by man. War, with all its horrors, could purify as well as debase; it dealt with high motives and vast interests; taught courage, discipline, and stern sense of duty. Jefferson must have asked himself in vain what lessons of heroism or duty were taught by his system of peaceable coercion, which turned every citizen into an enemy of the laws — preaching the fear of war and of self-sacrifice, making many smugglers and traitors, but not a single hero.

In New England, where the struggle of existence was keenest, the embargo struck like a thunderbolt, and society for a moment thought itself at an end. Foreign commerce and shipping were the life of the people — the ocean, as Pickering said, was their farm. The outcry of suffering interests became every day more violent, as the public learned

that this paralysis was not a matter of weeks, but of months or years. New Englanders as a class were a law-abiding people; but from the earliest moments of their history they had largely qualified their obedience to the law by the violence with which they abused and the ingenuity with which they evaded it. Against the embargo and Jefferson they concentrated the clamor and passion of their keen and earnest nature.

Yet, in truth, New England was better able to defy the embargo than she was willing to suppose. She lost nothing except profits which the belligerents had in any case confiscated; her timber would not harm for keeping and her fish were safe in the ocean. The embargo gave her almost a monopoly of the American market for domestic manufactures; no part of the country was so well situated or so well equipped for smuggling. Above all, she could easily economize. The New Englander knew better than any other American how to cut down his expenses to the uttermost point of parsimony; and even when he became bankrupt, he had but to begin anew. His energy, shrewdness, and education were a capital which the embargo could not destroy, but rather helped to improve.

The growers of wheat and livestock in the Middle States were more hardly treated. Their wheat, reduced in value from two dollars to seventy-five cents a bushel, became practically unsalable. Debarred a market for their produce at a moment when every article of common use tended to rise in cost, they were reduced to the necessity of living on the produce of their farms; but the task was not then so difficult as in later times, and the cities still furnished local markets not to be despised. The manufacturers of Pennsylvania could not but feel the stimulus of the new demand; so violent a system of protection was never applied to them before or since. Probably for that reason the embargo was not so unpopular in Pennsylvania as elsewhere, and Jefferson had nothing to fear from political revolution in this calm and plodding community.

The true burden of the embargo fell on the Southern States, but most severely upon the great State of Virginia. Slowly decaying, but still half-patriarchal, Virginia society could neither economize nor liquidate. Tobacco was worthless; but four hundred thousand Negro slaves must be clothed and fed, great establishments must be kept up, the social scale of living could not be reduced, and even bankruptcy could not clear a large landed estate without creating new encumbrances in a country where

land and Negroes were the only forms of property on which money could be raised. Stay-laws were tried, but served only to prolong the agony. With astonishing rapidity Virginia succumbed to ruin, while continuing to support the system that was draining her strength. No episode in American history was more touching than the generous devotion with which Virginia clung to the embargo and drained the poison which her own President held obstinately to her lips. The old society of Virginia could never be restored. Amid the harsh warnings of John Randolph, it saw its agonies approach; and its last representative, heir to all its honors and dignities, President Jefferson himself woke from his long dream of power only to find his own fortunes buried in the ruin he had made.

Except in a state of society verging on primitive civilization, the stoppage of all foreign intercourse could not have been attempted by peaceable means. The attempt to deprive the laborer of sugar, salt, tea, coffee, molasses, and rum; to treble the price of every yard of coarse cottons and woolens; to reduce by one-half the wages of labor and to double its burdens — this was a trial more severe than war; and even when attempted by the whole Continent of Europe, with all the resources of manufactures and wealth which the civilization of a thousand years had supplied, the experiment required the despotic power of Napoleon and the united armies of France, Austria, and Russia to carry it into effect. Even then it failed. Jefferson, Madison, and the Southern Republicans had no idea of the economical difficulties their system created, and were surprised to find American society so complex even in their own Southern States that the failure of two successive crops to find a sale threatened beggary to every rich planter from the Delaware to the Sabine.

The relapse of Massachusetts to Federalism and the overthrow of Senator Adams in the spring of 1808 were the first signs of the political price which President Jefferson must pay for his passion of peace. In New York the prospect was little better. Governor Morgan Lewis, elected in 1804 over Aaron Burr by a combination of Clintons and Livingstons, was turned out of office in 1807 by the Clintons. Governor Daniel D. Tompkins, his successor, was supposed to be a representative of De Witt Clinton and Ambrose Spencer. To De Witt Clinton the State of New York seemed in 1807 a mere appendage — a political property which he could control at will; and of all American politicians next to Aaron Burr none

had shown such indifference to party as he. No one could predict his course, except that it would be shaped according to what seemed to be the interests of his ambition. He began by declaring himself against the embargo, and soon afterward declared himself for it. In truth, he was for or against it as the majority might decide; and in New York a majority could hardly fail to decide against the embargo. At the spring election of 1808, which took place about May 1, the Federalists made large gains in the Legislature. The summer greatly increased their strength, until Madison's friends trembled for the result, and their language became despondent beyond reason. Gallatin, who knew best the difficulties created by the embargo, began to despair. June 29 he wrote: 'From present appearances the Federalists will turn us out by 4th of March next.'

Two causes saved Madison. In the first place, the opposition failed to concentrate its strength. Neither George Clinton nor James Monroe could control the whole body of opponents to the embargo. After waiting till the middle of August for some arrangement to be made, leading Federalists held a conference at New York, where they found themselves obliged, by the conduct of De Witt Clinton, to give up the hope of a coalition. Clinton decided not to risk his fortunes for the sake of his uncle, the Vice-President; and this decision obliged the Federalists to put a candidate of their own in the field. They named C. C. Pinckney of South Carolina for President and Rufus King of New York for Vice-President, as in 1804.

From the moment his opponents divided themselves among three candidates, Madison had nothing to fear; but even without this good fortune he possessed an advantage that weighed decisively in his favor. The State Legislatures had been chosen chiefly in the spring or summer, when the embargo was still comparatively popular; and in most cases, but particularly in New York, the Legislature still chose Presidential electors. The people expressed no direct opinion on national politics, except in regard to Congressmen. State after State deserted to the Federalists without affecting the general election.

In the elections to Congress the same effects were shown. The Federalists doubled their number of Congressmen, but the huge Republican majority could well bear reduction. The true character of the Eleventh Congress could not be foretold by the party vote. Many Northern

Republicans chosen to Congress were as hostile to the embargo as though they had been Federalists.

The Republican Party by a supreme effort kept itself in office; but no one could fail to see that if nine months of embargo had so shattered Jefferson's power, another such year would shake the Union itself. The cost of this 'engine for national purposes' exceeded all calculation. Financially, it emptied the Treasury, bankrupted the mercantile and agricultural class, and ground the poor beyond endurance. Constitutionally, it overrode every specified limit on arbitrary power and made Congress despotic, while it left no bounds to the authority which might be vested by Congress in the President. Morally, it sapped the nation's vital force, lowering its courage, paralyzing its energy, corrupting its principles, and arraying all the active elements of society in factious opposition to Government or in secret paths of treason. Politically, it cost Jefferson the fruits of eight years' painful labor for popularity, and brought the Union to the edge of a precipice.

Finally, frightful as the cost of this engine was, as a means of coercion the embargo evidently failed. The President complained of evasion and declared that if the measure were faithfully executed it would produce the desired effect; but the people knew better. In truth, the law was faithfully executed. The price-lists of Liverpool and London, the published returns from Jamaica and Havana, proved that American produce was no longer to be bought abroad.

On the Continent of Europe commerce had ceased before the embargo was laid and its coercive effects were far exceeded by Napoleon's own restrictions; yet not a sign came from Europe to show that Napoleon meant to give way. From England came an answer to the embargo, but not such as promised its success. On all sides evidence accumulated that the embargo, as an engine of coercion, needed a long period of time to produce a decided effect. The law of physics could easily be applied to politics; force could be converted only into its equivalent force. If the embargo — an exertion of force less violent than war — was to do the work of war, it must extend over a longer time the development of an equivalent energy. Wars lasted for many years, and the embargo must be calculated to last much longer than any war; but meanwhile the morals, courage, and political liberties of the American people must be perverted or destroyed; agriculture and shipping must perish; the Union itself could not be preserved.

Under the shock of these discoveries Jefferson's vast popularity vanished, and the labored fabric of his reputation fell in sudden and general ruin. America began slowly to struggle, under the consciousness of pain, toward a conviction that she must bear the common burdens of humanity and fight with the weapons of other races in the same bloody arena; that she could not much longer delude herself with hopes of evading laws of Nature and instincts of life; and that her new statesmanship which made peace a passion could lead to no better result than had been reached by the barbarous system which made war a duty.

## CHAPTER FIFTY-SIX

### *The Dos de Maio*

**W**HILE THE PEOPLE of the United States waited to see the effect of the embargo on Europe, Europe watched with breathless interest the death-throes of Spain.

The Emperor Napoleon, in December, 1807, hurried in triumphal progress from one ancient city to another through his Italian Kingdom, while his armies steadily crossed the Pyrenees and spread over every road between Bayonne and Lisbon. From Madrid, Godoy saw that the end was near. Until that moment he had counted with certainty on the devotion of the Spanish people to their old King. In the last months of 1807, he learned that even Spanish loyalty could not survive the miseries of such a reign. Conspiracy appeared in the Escorial itself. Ferdinand, Prince of the Asturias, only son of Don Carlos IV, was discovered in a plot for dethroning his father by aid of Napoleon. Ferdinand was but twenty-three years old; yet even in the flower of youth he showed no social quality. Dull, obstinate, sullen, just shrewd enough to be suspicious, and with just enough passion to make him vindictive, Ferdinand was destined to become the last and worst of the Spanish Bourbon kings; yet in the year 1807, he had a strong bond of sympathy with the people, for he hated and feared his father and mother and the Prince of Peace. Public patience, exhausted by endless disaster, and outraged by the King's incompetence, the Queen's supposed amours, and Godoy's parade of royal rank and power, vanished at the news that Ferdinand shared in the popular disgust; and the Prince of Peace suddenly woke to find the old King already dethroned in his subjects' love, while the Prince of the Asturias, who was fitted only for confinement in an asylum, had become the popular ideal of virtue and reform.

Godoy stifled Ferdinand's intrigue and took from Napoleon that pretext for interference; but he gained at most only a brief respite for King Charles. December 23, Napoleon sent from Milan to his Minister of War orders to concentrate armies for occupying the whole peninsula and to establish the magazines necessary for their support. He was almost ready to act; and his return to Paris, January 3, 1808, announced to those who were in the secret that the new drama would soon begin.

Among the most interested of his audience was General Armstrong, who had longed, since 1805, for a chance to meet the Emperor with his own weapons, and who knew that Napoleon's schemes required control of North and South America, which would warrant Jefferson in imposing rather than in receiving terms for Florida. Whatever these terms might be, Napoleon must grant them or must yield the Americas to England's naval supremacy. The plan as Armstrong saw it was both safe and sure. Napoleon made no secret of his wants. Whatever finesse he may have used in the earlier stage of his policy was flung aside after his return to Paris, January 3. In reply to Armstrong's remonstrances against the Milan Decree, the Emperor ordered Champagny to use the language of command:

Answer Mr. Armstrong, that I am ashamed to discuss points of which the injustice is so evident; but that in the position in which England has put the Continent, I do not doubt of the United States declaring war against her, especially on account of her decree of November 11; that, however great may be the evil resulting to America from war, every man of sense will prefer it to a recognition of the monstrous principles and of the anarchy which that Government wants to establish on the seas; that in my mind I regard war as declared between England and America from the day when England published her decrees; that, for the rest, I have ordered that the American vessels should remain sequestered, to be disposed of as shall be necessary according to circumstances.

No coarser methods were known to diplomacy than those which Napoleon commonly took whenever the moment for action came. Not only did he thus hold millions of American property sequestered as a pledge for the obedience of America, but he also offered a bribe to the United States Government. January 28 he gave orders for the occupation of Barcelona and the Spanish frontier as far as the Ebro and for pushing a division from Burgos to Aranda on the direct road to Madrid. These orders admitted of no disguise; they announced the annexation of Spain to France. A few days afterward, February 2, the Emperor began to dispose of Spanish territory as already his own.

Champagny sent for Armstrong and gave him a verbal message, which the American minister understood as follows:

General, I have to communicate to you a message from the Emperor. I am instructed to say that the measure of taking the Floridas, to the ex-

clusion of the British, meets entirely the approbation of His Majesty. I understand that you wish to purchase the Floridas. If such be your wish, I am further instructed to say that His Majesty will interest himself with Spain in such way as to obtain for you the Floridas, and, what is still more important, a convenient western boundary for Louisiana, on condition that the United States will enter into an alliance with France.

In forwarding these documents to Washington, Armstrong expressed in plain language his opinion of Napoleon and Champagny.

With one hand they offer us the blessings of equal alliance against Great Britain; with the other they menace us with war if we do not accept this kindness; and with both they pick our pockets with all imaginable diligence, dexterity, and impudence.

These letters from Armstrong, enclosing Champagny's version of Napoleon's blunt words, were dispatched to Washington during the month of February; and, as the story has already shown, President Jefferson roused a storm against France by communicating to Congress the Emperor's order that the United States Government should regard itself as at war with England.

All this while the Emperor held Spain in suspense, but February 21 he gave orders for securing the royal family. Murat was to occupy Madrid; Admiral Rosily, who commanded a French squadron at Cadiz, was to bar the way 'if the Spanish Court, owing to events or a folly that can hardly be expected, should wish to renew the scene of Lisbon.' Godoy saw the impending blow, and ordered the Court to Cadiz, intending to carry the King even to Mexico if no other resource remained. He would perhaps have saved the King and Admiral Rosily himself would have been the prisoner, had not the people risen in riot on hearing of the intended flight. March 17 a sudden mob sacked Godoy's house at Aranjuez, hunting him down like a wild beast and barely failing to take his life; while by sheer terror Don Carlos IV was made to abdicate the throne in favor of his son Ferdinand. March 19 the ancient Spanish Empire crumbled away.

Owing to the skill with which Napoleon had sucked every drop of blood from the veins and paralyzed every nerve in the limbs of the Spanish monarchy, the throne fell without apparent touch from him, and his army entered Madrid as though called to protect Carlos IV from violence.

When the news reached Paris, the Emperor, April 2, hurried to Bordeaux and Bayonne, where he remained until August, regulating his new empire. To Bayonne were brought all the familiar figures of the old Spanish régime — Carlos IV, Queen Luisa, Ferdinand, the Prince of Peace, Don Pedro Cevallos — the last remnants of picturesque Spain; and Napoleon passed them in review with the curiosity which he might have shown in regarding a collection of rococo furniture. His victims always interested him, except when, as in the case of Toussaint L'Ouverture, they were not of noble birth.

The Bourbon rubbish was swept from Madrid; Don Carlos had already abdicated; Ferdinand, entrapped and terrified, was set aside; the old palaces were garnished for newcomers; and after Lucien and Louis Bonaparte had refused the proffered throne, Napoleon sent to Naples for Joseph, who was crowned, June 15, King of Spain at Bayonne.

Meanwhile, the Spanish people woke to consciousness that their ancient empire had become a province of France, and their exasperation broke into acts of wild revenge. May 2, Madrid rose in an insurrection which Murat suppressed by force. Several hundred lives on either side were lost; and although the affair itself was one of no great importance, it had results which made the day an epoch in modern history.

The Second of May — or as the Spaniards called it, the *Dos de Maio* — swept the vast Spanish Empire into the vortex of dissolution. The extent and violence of the convulsion which was to ravage the Spanish Empire could be measured only by the vastness of Spanish dominion. So strangely had political forces been entangled by Napoleon's hand that the explosion at Madrid roused the most incongruous interests into active sympathy and strange companionship. The Spaniards themselves, the least progressive people in Europe, became by necessity democratic; not only the people, but even the Governments of Austria and Germany, felt the movement, and yielded to it; the Tories of England joined with the Whigs and democrats in cheering a revolution which could not but shake the foundations of Tory principles; confusion became chaos, and while all Europe, except France, joined hands in active or passive support of Spanish freedom, America, the stronghold of free government, drew back and threw her weight on the opposite side. The workings of human development were never more strikingly shown than in the helplessness with which the strongest political and social forces in the world followed

or resisted at haphazard the necessities of a movement which they could not control or comprehend. Spain, France, Germany, England, were swept into a vast and bloody torrent which dragged America, from Montreal to Valparaiso, slowly into its movement; while the familiar figures of famous men — Napoleon, Alexander, Canning, Godoy, Jefferson, Madison, Talleyrand; emperors, generals, presidents, conspirators, patriots, tyrants, and martyrs by the thousand — were borne away by the stream, struggling, gesticulating, praying, murdering, robbing; each blind to everything but a selfish interest, and all helping more or less unconsciously to reach the new level which society was obliged to seek. Half a century of disorder failed to settle the problems raised by the Dos de Maio; but from the first even a child could see that in the ruin of a world like the empire of Spain, the only nation certain to find a splendid and inexhaustible booty was the Republic of the United States. To President Jefferson the Spanish revolution opened an endless vista of democratic ambition.

Yet at first the Dos de Maio seemed only to rivet Napoleon's power and to strengthen the reaction begun on the Eighteenth Brumaire. The Emperor expected local resistance and was ready to suppress it. He had dealt effectually with such popular outbreaks in France, Italy, and Germany; he had been overcome in St. Domingo not by the people, but, as he believed, by the climate. If the Germans and Italians could be made obedient to his orders, the Spaniards could certainly offer no serious resistance. During the two or three months that followed the dethronement of the Bourbons, Napoleon stood at the summit of his hopes. If the letters he then wrote were not extant to prove the plans he had in mind, common-sense would refuse to believe that schemes so unsubstantial could have found lodgment in his brain. The English navy and English commerce were to be driven from the Mediterranean Sea, the Indian Ocean, and American waters, until the ruin of England should be accomplished and the empire of the world should be secured. Order rapidly followed order for reconstructing the navies of France, Spain, and Portugal. Great expeditions were to occupy Ceuta, Egypt, Syria, Buenos Ayres, the Isle de France, and the East Indies.

For this purpose the Emperor required not only the submission of Spain, but also the support of Spanish America and of the United States. He acted as though he were already master of all these countries, which

were not yet within his reach. Continuing to treat the United States as a dependent Government, he issued April 17 a new order directing the seizure of all American vessels which should enter the ports of France, Italy, and the Hanse towns. This measure, which became famous as the Bayonne Decree, surpassed the Decrees of Berlin and Milan in violence, and was gravely justified by Napoleon on the ground that, since the embargo, no vessel of the United States could navigate the seas without violating the law of its own Government and furnishing a presumption that it did so with false papers on British account or in British connection. 'This is very ingenious,' wrote Armstrong in reporting the fact. Yet it was hardly more arbitrary or unreasonable than the British 'Rule of 1756,' which declared that a neutral should practice no trade with a belligerent which it had not practiced with the same nation during peace.

While these portentous events were passing rapidly before the eyes of Europe, no undue haste marked Madison's movements. Champagny's letter of January 15, 1808, arrived and was sent to Congress toward the end of March; but although the United States quickly knew by heart Napoleon's phrase, 'War exists in fact between England and the United States, and His Majesty considers it as declared from the day on which England published her decrees'; although Rose departed March 22, and the embargo was shaped into a system of coercion long before Rose's actual departure — yet Congress waited until April 22 before authorizing the President to suspend the embargo if he could succeed in persuading or compelling England or France to withdraw the belligerent decrees; and not until May 2 — the famous *Dos de Maio* — did Madison send to Armstrong instructions which were to guide that minister through the dangers of Napoleonic diplomacy.

In due time Armstrong received his instructions of May 2, and wrote June 10 to Champagny a note declining the proposed alliance and expressing the satisfaction which his Government felt at hearing the Emperor's approval of 'a cautionary occupation of the Floridas.' Napoleon, who was still at Bayonne in the flush of his power, no sooner read this reply than he wrote to Champagny:

Answer the American minister that you do not know what he means about the occupation of the Floridas; and that the Americans, being at peace with the Spaniards, cannot occupy the Floridas without the permission or the request of the King of Spain.

Armstrong, a few days afterward, was astonished by receiving from Champagny a note denying positively that any suggestion had ever been made to warrant an American occupation of the Floridas without an express request from the King of Spain: ‘The Emperor has neither the right nor the wish to authorize an infraction of international law, contrary to the interests of an independent Power, his ally and his friend.’ When Napoleon chose to deny a fact, argument was thrown away; yet Armstrong could not do otherwise than recall Champagny’s own words, which he did in a formal note, and there left the matter at rest, writing to his Government that the change in tone had ‘no doubt grown out of the new relations which the Floridas bear to this Government since the abdication of Charles IV.’

Fortunately for Jefferson, the answer made by Spain, May 2, to Napoleon’s orders was not couched in the terms which the United States Government used on the same day. Joseph Bonaparte, entering his new kingdom, found himself a king without subjects. Arriving July 20 at Madrid, Joseph heard nothing but news of rebellion and disaster. On that day some twenty thousand French troops under General Dupont, advancing on Seville and Cadiz, were surrounded in the Sierra Morena, and laid down their arms to a patriot Spanish force. A few days afterward the French fleet at Cadiz surrendered. A patriot Junta assumed the Government of Spain. Quick escape from Madrid became Joseph’s most pressing necessity if he were to save his life. During one July week he reigned over his gloomy capital, and fled, July 29, with all the French forces still uncaptured, to the provinces beyond the Ebro.

This disaster was quickly followed by another. Junot and his army, far beyond support at Lisbon, suddenly learned that a British force under Arthur Wellesley had landed, August 1, about one hundred miles to the north of Lisbon and was marching on that city. Junot had no choice but to fight, and August 21 he lost the battle of Vimieiro. August 30, at Cintra, he consented to evacuate Portugal, on condition that he and his twenty-two thousand men should be conveyed by sea to France.

Never before in Napoleon’s career had he received two simultaneous shocks so violent. The whole of Spain and Portugal, from Lisbon to Saragossa, by a spasmodic effort freed itself from Bonaparte or Bourbon; but this was nothing — a single campaign would recover the peninsula. The real blow was in the loss of Cadiz and Lisbon, of the fleets and work-

shops that were to restore French power on the ocean. Most fatal stroke of all, the Spanish colonies were thenceforward beyond reach, and the dream of universal empire was already dissolved into ocean mist. Napoleon had found the limits of his range, and saw the power of England rise, more defiant than ever, over the ruin and desolation of Spain.

## CHAPTER FIFTY-SEVEN

### *Failure of Embargo*

EARLY IN AUGUST, at the time when public feeling against the embargo was beginning to turn into personal hatred of Jefferson, news of the Spanish outbreak reached America, and put a new weapon into Federalist hands. The embargo, in its effects upon Spain and her colonies, was a powerful weapon to aid Napoleon in his assault on Spanish liberty and in his effort to gain mastery of the ocean. In an instant England appeared as the champion of human liberty and America as an accomplice of despotism. Jefferson, in his pursuit of Florida, lost what was a thousand times more valuable to him than territory — the moral leadership which belonged to the head of democracy. The New England Federalists seized their advantage and proclaimed themselves the friends of Spain and freedom. Their press rang with denunciations of Napoleon and of Jefferson his tool. For the first time in many years the Essex Junto stood forward as champions of popular liberty.

So deeply mired was Jefferson in the ruts of his Spanish policy and prejudices that he could not at once understand the revolution which had taken place. On hearing the earlier reports of Spanish resistance, his first thought was selfish. ‘I am glad to see that Spain is likely to give Bonaparte employment. *Tant mieux pour nous!*’

The victories at Bailen and Vimieiro, the flight of Joseph from Madrid, the outburst of English enthusiasm for Spain, and the loud echo from New England, in the anxieties of a general election, brought the President to wider views. October 22 the Cabinet debated the subject, arriving at a new result, which Jefferson recorded in his memoranda:

Unanimously agreed in the sentiments which should be unauthoritatively expressed by our agents to influential persons in Cuba and Mexico; to wit: ‘If you remain under the dominion of the kingdom and family of Spain, we are contented; but we should be extremely unwilling to see you pass under the dominion or ascendancy of France or England. In the latter case, should you choose to declare independence, we cannot now commit ourselves by saying we would make common cause with you, but must reserve ourselves to act according to the then existing circumstances; but in our proceedings we shall be influenced by friendship to you, by a

firm feeling that our interests are intimately connected, and by the strongest repugnance to see you under subordination to either France or England, either politically or commercially.'

No allusion to Florida was made in this outline of a new policy, and none was needed, for Florida would obviously fall to the United States. The Spanish patriots — who were as little disposed as Don Carlos IV and the Prince of Peace to see their empire dismembered, and who knew as well as Godoy and Cevallos the motives that controlled the United States Government — listened with only moderate confidence to the protests which Jefferson, through various agents, made at Havana, Mexico, and New Orleans.

The patriotic junta at Cadiz, which represented the Empire of Spain, could hardly believe in the warm friendship which admitted its object of excluding them from influence over their own colonies. In private, Jefferson avowed that American interests rather required the failure of the Spanish insurrection. 'Bonaparte, having Spain at his feet, will look immediately to the Spanish colonies, and think our neutrality cheaply purchased by a repeal of the illegal parts of his decrees, with perhaps the Floridas thrown into the bargain.' In truth, Jefferson and the Southern interest cared nothing for Spanish patriotism; and their indifference was reflected in their press. The independence of the Spanish colonies was the chief object of American policy; and the patriots of Spain had no warmer friends than the Administration of the United States so far as they helped and hurried this great catastrophe; but beyond this purpose Jefferson did not look.

In the Eastern States the Democratic and Southern indifference toward the terrible struggle raging in Spain helped to stimulate the anger against Jefferson, which had already swept many firm Republicans into sympathy with Federalism. In their minds indifference to Spain meant submission to Napoleon and hatred of England; it proved the true motives which had induced the President to suppress Monroe's treaty and to impose the Non-Importation Act and the embargo; it called for vehement, universal, decisive protest. The New England conscience, which had never submitted to the authority of Jefferson, rose with an outburst of fervor toward the Spaniards, and clung more energetically than ever to the cause of England — which seemed at last, beyond the possibility of doubt, to have the sanction of freedom. Every day made

Jefferson's position less defensible and shook the confidence of his friends.

With the sanguine temper which had made him victorious in so many trials, the President hoped for another success. He still thought that England must yield under the grinding deprivations of the embargo, and he was firm in the intention to exact his own terms of repeal. Pinkney's earlier dispatches offered a vague hope that Canning might withdraw the orders; and at this glimpse of sunshine Jefferson's spirits became buoyant.

To England, accordingly, the President looked for some sign of successful coercion — some proof that the embargo had been felt, or at least some encouragement to hold that its continuance might save him from the impending alternative of submission or war; and he had not long to wait. The *Hope*, bringing Canning's letters of September 23, made so quick a voyage that Pinkney's dispatches came to hand October 28, as the President was preparing his Annual Message to Congress for its special meeting November 7.

Had Canning chosen the moment when his defiance should have most effect, he would certainly have selected the instant when the elections showed that Jefferson's authority had reached its limit. Friends and enemies alike united in telling the President that his theory of statesmanship had failed and must be thrown aside. The rapid decline of his authority was measured by the private language of representative men, speaking opinions not meant for popular effect. In the whole Union no men could be found more distinctly representative than Wilson Cary Nicholas, James Monroe, John Marshall, and Rufus King. Of these, Nicholas was distinguished as being the President's warm and sympathetic friend, whose opinions had more weight and whose relations with him were more confidential than those of any other person not in the Cabinet; but even Nicholas thought himself required to prepare the President's mind for abandoning his favorite policy.

This admission of helplessness coming from the oldest Virginian Republicans betrayed the discouragement of all Jefferson's truest friends, and accorded with the language of Monroe, who, whatever might be his personal jealousies, was still Republican in spirit.

If Wilson Cary Nicholas and James Monroe stood in such attitudes toward the Administration, admitting or proclaiming that its policy had failed and that it could command no further confidence, what could be expected from the Federalists, who for eight years had foretold the

failure? New England rang with cries for disunion. The Federalist leaders thought best to disavow treasonable intentions; but they fell with their old bitterness on the personal character of President Jefferson and trampled it deep in the mire. Many of the ablest and most liberal Federalist leaders had lagged behind or left the party, but the zealots of Pickering's class were stronger than ever. Pickering bent his energies to the task of proving that Jefferson was a tool of Napoleon and that the embargo was laid in consequence of Napoleon's command. The success of this political delusion, both in England and America, was astounding. Even a mind so vigorous and a judgment so calm as that of Chief Justice Marshall bent under this popular imposture.

Nothing can be more completely demonstrated [he wrote to Pickering] than the inefficacy of the embargo; yet that demonstration seems to be of no avail. I fear most seriously that the same spirit which so tenaciously maintains this measure will impel us to a war with the only Power which protects any part of the civilized world from the despotism of that tyrant with whom we shall then be arranged. You have shown that the principle commonly called the Rule of 1756 is of much earlier date, and I fear have also shown to what influences the embargo is to be traced.

Chief Justice Marshall had read Canning's insulting note of September 23 more than a month before this letter to Pickering was written; yet the idea of resenting it seemed not to enter his mind. Napoleon alone was the terror of Federalism; and this unreasoning fear exercised upon Marshall's calm judgment hardly less power than upon the imagination of Fisher Ames or the austerity of Timothy Pickering. Second only to Marshall, Rufus King was the foremost of Federalists; and the same horror of France which blinded Marshall, Ames, and Pickering to the conduct of England led King to hold the President responsible for Napoleon's violence.

King was not only the ablest of the Northern Federalists, he was also the one who knew England best; and yet even he condescended to the excuse or palliation of England's conduct, as though Jefferson could have resisted the Berlin Decree without also resisting the previous robberies, impressments, and blockades of Great Britain. So deeply diseased was American opinion that patriotism vanished, and the best men in the Union took active part with Lord Castlereagh and George Canning in

lowering and degrading their own Government. Not even Rufus King could see the selfishness of that Tory reaction which, without regard to Napoleon's decrees, swept Great Britain into collision with the United States and from which no act of Jefferson could have saved American interests. Though King were admitted to be right in thinking that the system of peaceable coercion, the 'visionary experiments' of President Jefferson's statesmanship, the fretfulness of Madison's diplomacy, had invited or challenged insult, yet, after these experiments had evidently failed and the failure was conceded, a modest share of patriotism might consent that some policy for the future should be indicated and that some remnant of national dignity should be saved. No such sentimental weakness showed itself in the ranks of Federalism. Jefferson's friends and enemies alike foresaw that the embargo must be repealed; but neither friend nor enemy could or would suggest a remedy for national disgrace.

The country had come to a standstill; and some heroic resolution must be taken. The question pressing for an answer concerned Jefferson more directly than it concerned anyone else. What did he mean to do? For eight years in regard to foreign relations his will had been law. Except when the Senate, in 1806, with disastrous results, obliged him to send William Pinkney to negotiate a treaty with England, Congress had never crossed the President's foreign policy by willful interference; and when this policy ended in admitted failure, his dignity and duty required him to stand by the government, and to take the responsibility that belonged to him. Yet he had no other plan than to postpone further action until after March 4, 1809, when he should retire from control. With singular frankness he avowed this wish. After the meeting of Congress, November 7, when doubt and confusion required control, Jefferson drew himself aside, repeating without a pause the formula that embargo was the alternative to war. 'As yet the first seems most to prevail,' he wrote; and no one doubted to which side he leaned, though as if it were a matter of course that he should quit the Government before his successor was even elected, he added: 'On this occasion I think it is fair to leave to those who are to act on them the decisions they prefer, being myself but a spectator. I should not feel justified in directing measures which those who are to execute them would disapprove.'

Although Madison could not become even President-elect before the first Wednesday in December, when the electors were to give their votes;

and although the official declaration of this vote could not take place before the second Wednesday in February — Jefferson insisted that his functions were merely formal from the moment when the name of his probable successor was known.

Had Jefferson strictly carried out his doctrine and abstained from interference of any kind in the decision of a future policy, the confusion in Congress might have been less than it was and the chance of agreement might have been greater; but while apparently refusing to interfere, in effect he exerted his influence to prevent change; and to prevent a change of measures was to maintain the embargo. In insisting that the whole matter should be left to the next Congress and President, Jefferson resisted the popular pressure for repeal, embarrassing his successor, distracting the Legislature, and destroying the remnants of his own popularity. Especially the Eastern Democrats, who had reason to believe that in New England the Union depended on repeal, were exasperated to find Jefferson, though declaring neutrality, yet privately exerting his influence to postpone action until the meeting of another Congress.

All accounts agreed that, while refusing to act officially, the President resisted every attempt to change, during his time, the policy he had established. Canning's defiance and Napoleon's discipline reduced him to silence and helplessness; but even when prostrate and alone, he clung to the remnant of his system. Disaster upon disaster, mortification upon mortification, crowded fast upon the man whose triumphs had been so brilliant, but whose last hope was to escape a public censure more humiliating than any yet inflicted on a President of the United States. The interest attached to the history of his Administration — an interest at all times singularly personal — centered at last upon the single point of his personality, all eyes fixing themselves upon the desperate malice with which his ancient enemies strove to drive him from his cover and the painful efforts with which he still sought to escape their fangs.

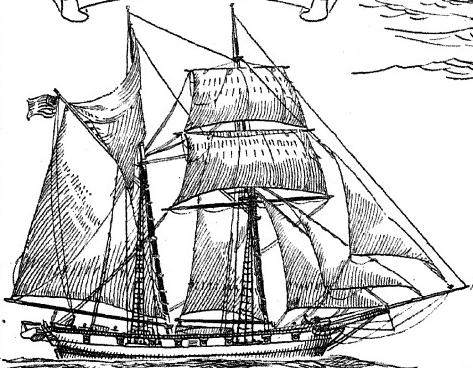
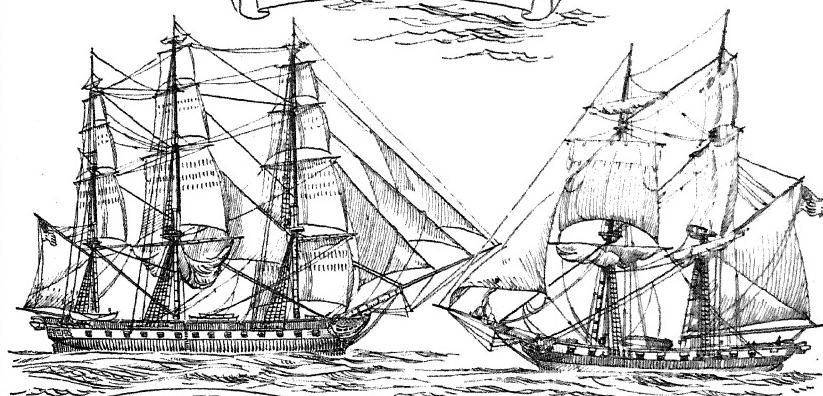
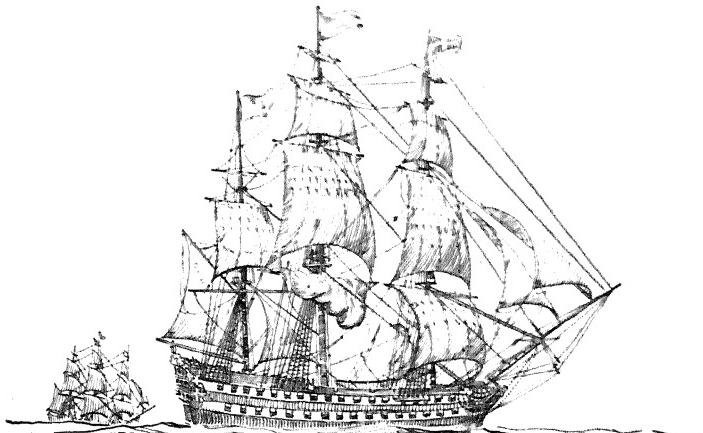
November 8, President Jefferson sent to Congress his last Annual Message, and with it the correspondence of Pinkney and Armstrong. Intent as the public was upon foreign affairs alone, the Message had no further interest than as it dealt with the question of embargo; but Jefferson showed that he had lost none of his old dexterity, for he succeeded in giving to his words the appearance of conveying no opinion:

Under a continuance of the belligerent measures which, in defiance of laws which consecrate the rights of neutrals, overspread the ocean with danger, it will rest with the wisdom of Congress to decide on the course best adapted to such a state of things; and bringing with them as they do from every part of the Union the sentiments of our constituents, my confidence is strengthened that in forming this decision they will, with an unerring regard to the rights and interests of the nation, weigh and compare the painful alternatives out of which a choice is to be made.

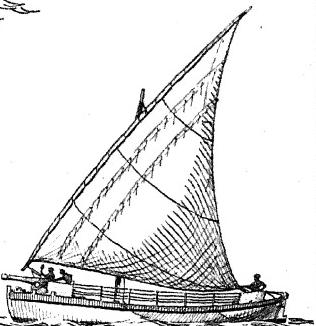
The favorite assumption that Congress, not the Executive, directed the national policy served again to veil Jefferson's wishes, but in this instance with some reason; for no one was ignorant that a strong party in Congress meant if possible to take the decision out of the President's hands. Only by the phrase 'painful alternatives' did he hint an opinion, for everyone knew that by this phrase he aimed at narrowing the choice of Congress between embargo and war. One other paragraph suggested that his own choice would favor continued commercial restrictions:

The situation into which we have thus been forced has impelled us to apply a portion of our industry and capital to internal manufactures and improvements. The extent of this conversion is daily increasing, and little doubt remains that the establishments formed and forming will — under the auspices of cheaper material and subsistence, the freedom of labor from taxation with us, and of protecting duties and prohibitions — become permanent.

Not only the Message but also the language, still more emphatic, of private letters showed that Jefferson had become a convert to manufactures and protected industries. 'My idea is that we should encourage home manufactures,' he said, 'to the extent of our own consumption of everything of which we raise the raw material.' This avowal did much to increase the ill-will of New England, where Jefferson's hostility to foreign commerce as a New England interest was believed to be inveterate and deadly; but the anger of Massachusetts and Connecticut at the wound thus threatened to their commerce and shipping could not exceed the perplexity of Southern Republicans, who remembered that Jefferson in 1801 promised them 'a wise and frugal government, which shall restrain men from injuring one another; which shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned.' Not only manu-



Topsail Schooner  
Samuel Danky Bryant



Jefferson Gunboat



factures but also internal improvements were to become a chief object of governmental regulation to an extent which no Federalist had ever suggested. The absolute prohibition of foreign manufactures was to go hand in hand with a magnificent scheme of public works. In the actual state of public affairs — without revenue and on the verge of war with France and England — Jefferson exposed himself to ridicule by alluding to a surplus; years were to pass before the employment of surplus revenue was to become a practical question in American politics, and long before it rose Jefferson had reverted to his old theories of ‘a wise and frugal government’; but in 1808, as President, he welcomed any diversion which enabled him to avoid the need of facing the specter of war.

The contrast between the President’s sanguine visions and the reality was made the more striking by Gallatin’s Annual Report, sent to Congress a few days later. The President spoke for the Administration that was passing away, while Gallatin represented the Administration to come. That the Secretary leaned toward war was notorious, and that he was Madison’s chief adviser, perhaps to be the head of his Cabinet, was known or suspected by the men who stood nearest to the Secretary of State, and who studied Gallatin’s Report as though it were Madison’s first Annual Message. The more carefully it was studied, the more distinctly it took the character of a war budget.

Receipts from customs had stopped, but the accrued revenue of 1807 had brought nearly eighteen million dollars into the Treasury; and sixteen millions would remain to supply the wants of Government at the close of the year 1808. Of this sum the ordinary annual appropriations would consume thirteen millions. Starting from this point, Gallatin discussed the financial effect of the alternatives which lay before Congress. The first was that of total or partial submission to the belligerents; ‘and as, in pursuing that humble path, means of defense will become unnecessary — as there will be no occasion for either an army or a navy — it is believed that there would be no difficulty in reducing the public expenditures to a rate corresponding with the fragments of impost which might still be collected.’ The second choice of measures was to continue the embargo without war; and in this case the Government might be supported for two years with no greater effort than that of borrowing five million dollars. Finally, Congress might declare war against one or both of the belligerents, and in that event Gallatin asked only leave to

contract loans. Persons familiar with the history of the Republican Party and with the career of its leaders when in opposition could not but wonder that Gallatin should ask leave to create a new funded debt for purposes of war.

Gallatin carried courage as far as the President carried caution. While Jefferson talked of surpluses and deprecated 'painful alternatives,' his Secretary of the Treasury invited Congress to declare war against the two greatest Powers in the world and promised to support it without imposing a single internal tax.

Indecision ruled everywhere at Washington down to the close of the year. Jefferson would say nothing at all; Madison would say nothing decisive; and Gallatin struggled in vain to give a show of character to the Government.

The chaos prevailing in the White House was order compared with the condition of Congress; and there again Gallatin was forced to guide. After listening, November 8, to the President's serene Message, the House three days later referred the paragraphs concerning foreign Powers to a committee with G. W. Campbell at its head. Gallatin wrote a report, which was probably approved by Madison, and which Campbell presented November 22 to the House. Campbell's report closed by recommending three resolutions as common ground on which all parties could take their stand, whether for war or embargo. The first declared that the United States could not, without a sacrifice of their rights, honor, and independence, submit to the edicts of Great Britain and France. The second declared the expediency of excluding from the United States the ships and the products of all Powers which maintained these edicts in force. The third recommended immediate preparations for defense.

The Federalists were eager for attack; and when, November 28, Campbell called up the first of his resolutions for debate, Josiah Quincy fell upon it with violence not easily forgotten and doubtless meant to strengthen the general belief that New England would control her passions no longer. 'The course advocated in that report is in my opinion loathsome,' he said; 'the spirit it breathes disgraceful; the temper it is likely to inspire neither calculated to regain the rights we have lost nor to preserve those which remain to us.'

On the opposite side, the Republicans seemed for the most part fairly cowed by the vigor with which the Federalists defied the embargo and war

at once. Nothing in American history offered a more interesting illustration of the first stage of the national character than the open avowals by Congress in 1808 of motives closely akin to fear. America as a nation could run no serious military peril, even though she declared war on England and France at once. The worst military disaster that could happen would be a bombardment or temporary occupation of some seaboard city; the most terrible punishment within the range of possibility was the burning of a few small wooden towns which could be rebuilt in three months and whose destruction implied no necessary loss of life. Neither England nor France had armies to spare for permanent conquest in America; but so thoroughly had the theory of peaceable coercion taken possession of the national character that men of courage appealed to motives such as in a private dispute they would have thought degrading.

With all John Randolph's waywardness and extravagance, he alone shone among this mass of mediocrities, and like the water-snakes in Coleridge's silent ocean his every track was a flash of golden fire. At moments he struck passionately at his own favorite companions — at Macon and Williams — as he struck at Jefferson. The steady decline of public spirit stung his pride. ‘It was in that fatal session of 1805–1806 that the policy of yielding to anything that might come in the shape of insult and aggression was commenced. The result was then foretold. It has happened.’ Speaker after speaker reveled in narrating the long list of insults and outrages which America had endured in patience. ‘The House will pardon me,’ said Randolph, ‘if I forbear a minute recapitulation of the wrongs which we have received, not only from the two great belligerents of Europe, but from the little belligerents also. I cannot, like Shylock, take a pleasure in saying, “On such a day you called me dog; on such a day you spit upon my gabardine.”’

Yet Randolph himself fell naturally into the habits at which he sneered; and his wit alone raised him above the common level of Congressmen. However happily he might ridicule the timidity and awkwardness of others, he never advanced a positive opinion of his own without repudiating it the moment he was taken at his word. ‘I would scuffle for commerce,’ he said; and the phrase was itself unworthy of a proud people like the Virginians; but when Campbell tried to force from him a pledge to stand by the Government in asserting the national rights, Randolph declined to gratify him.

Of all the speakers, George Washington Campbell — the reputed author of the report — alone took a tone which might almost be called courageous; but even Campbell thought more of tactics than of dignity. The most interesting part of Campbell's speech was his awkward admission that peaceable coercion had failed. Such an admission was equivalent to avowing that the Republican Party had failed, but Campbell stumbled as he best could through this mortifying confession.

We could not foresee [he said] that the Governments of those Powers would not regard the distress and sufferings of their own people; that France would suffer her West Indian colonies to be almost desolated with famine, and to be compelled to apply to their inveterate enemy to save them from actual starvation rather than revoke her decrees; nor could we know that the Government of Great Britain would be regardless of the complaints and representations of her manufacturers and a respectable portion of her merchants; that it would lend a deaf ear to the hungry cries of the starving mechanics and silence their just and loud complaints with the thunder of their murdering guns and quench their hunger with a shower of balls instead of bread. We cannot be culpable for not anticipating such events.

Yet for twenty years the Federalists had wearied the country with prophecies of these disappointments which Campbell and his Republican friends said they could not be expected to foresee. Jefferson had persisted in acting on the theory that he could enforce national rights by peaceable means; had staked his reputation, after long and varied experience, on the soundness of this doctrine which his political opponents denied; and suddenly, on its failure, his followers pleaded that they could not be held culpable for failing to anticipate what their political opponents had steadily foretold. The confession of such an oversight was more fatal than all the sneers of Randolph and the taunts of Quincy.

There Congress for the moment stopped. Nothing was decided; and the year closed, leaving Congress, as Gallatin told his friend Nicholson, in 'great confusion and perplexity.'

## CHAPTER FIFTY-EIGHT

### *Diplomacy and Conspiracy*

**B**EHIND THE SCENES diplomacy was at work, actively seeking to disentangle or to embroil the plot of the culminating drama. Erskine, the British minister, sympathizing with his father, Lord Erskine, in good-will to America, hurried from one to another of the officials at Washington, trying to penetrate their thoughts — an easy task — and to find a bond of union between them and George Canning — a problem as difficult as any that ever diplomacy solved.

December 3, the British minister wrote to his Government the first of a series of dispatches calculated to bring Canning to his senses. ‘The Government and party in power,’ said he, ‘unequivocally express their resolution not to remove the embargo, except by substituting war measures against both belligerents unless either or both should relax their restrictions upon neutral commerce.’ To reinforce this assertion Erskine reported an interview with Secretary Madison, who after reviewing the facts had ended by explicitly threatening a declaration of war.

War was the incessant burden of Erskine’s reports; and he spared no pains to convince his Government that Madison had both the power and the will to fight. The next House, he reported, would contain ninety-five Republicans to forty-seven Federalists: ‘This great majority (which may vary a few votes) would, of course, be strong enough to carry any measures they wished; and all their declarations and their whole conduct indicate a determination to adopt the line of conduct which I have before pointed out.’ Only three days earlier, Gallatin had privately written to Nicholson that great confusion and perplexity reigned in Congress, that Madison was slow in taking his ground, and that if war were not speedily determined, submission would soon ensue; but Erskine reported little of this pacific temper, while he sent cry after cry of alarm to London. Toward the end of December, Congress took up a measure for raising fifty thousand troops. Erskine asked the Secretary of State for what purpose so large a force was needed; and Madison replied that the force was no greater than the state of relations with foreign Powers required.

Following one letter by another, in these varied tones of menace, Erskine ended by sending, January 3, 1809, a Message from the President-

elect which wanted nothing except a vote of Congress to make it a formal announcement of war: 'I have the honor to inform you that I had an interview with Mr. Madison yesterday, in which he declared that he had no hesitation in assuring me that in the event of the belligerent nations continuing their restrictions upon neutral commerce, it was intended by this Government to recommend to Congress to pass a law to allow merchant ships to arm and also to issue letters of marque and reprisal.'

Erskine added that the Federalists also thought Great Britain wrong in refusing the American offers, and that they, too, declared war to be necessary if these offers should still be rejected. He wrote to Sir James Craig to be on guard against sudden attack from the United States. These measures taken, the British minister at Washington waited the echo of his alarm-cries and Madison left the matter in his hands. No instructions were sent to Pinkney, no impulse was given to the press; and the public obstinately refused to believe in war. Perhaps Erskine received some assurance that no decisive step would be taken before he should have obtained from London a reply to his dispatches of December; but whether or not he had any tacit understanding with Madison, his ambition to reunite the two countries and to effect the diplomatic triumph of a treaty certainly led him to exaggerate the warlike ardor of America and to cross by a virtuous intrigue what he thought the ruinous career of his own Government.

Whatever might be their differences in other respects, Jefferson, Madison, and Gallatin agreed on one common point. They held that until some decision should be reached in regard to peace or war, the embargo must be maintained and enforced. Neither the dignity nor the interests of the country permitted a sudden break with the policy which had been steadily followed during the eight years of their power. Abandonment of embargo without war was an act of submission to England and France which would certainly destroy whatever national self-respect might have survived the mortifications of the last three years; but if the embargo was to be maintained, it must be enforced, and without new legislation strict enforcement was impossible.

This new legislation was demanded by Gallatin, in a letter of November 24, 1808, addressed to Senator Giles of the Senate committee. December 8, Giles introduced a bill conferring on Gallatin the 'arbitrary' and 'dangerous' powers he asked. The new measure answered Gallatin's de-

scription. Henceforward coasting-vessels were to give impossible bonds, to the amount of six times the value of vessel and cargo, before any cargo could even be put on board; collectors might refuse permission to load, even when such bonds were offered, ‘whenever in their opinion there is an intention to violate the embargo’; in suits on the bond, the defense was to be denied the right to plead capture, distress, or accident, except under conditions so stringent as to be practically useless; no shipowner could sell a vessel without giving bond, to the amount of three hundred dollars for each ton, that such ship should not contravene any of the Embargo Acts; and by Section 9, the whole country was placed under the arbitrary will of Government officials: ‘The collectors of all the districts of the United States shall . . . take into their custody specie or other articles of domestic growth, produce, or manufacture . . . when in vessels, carts, wagons, sleighs, or any other carriage, or in any manner apparently on their way toward the territory of a foreign nation or the vicinity thereof, or toward a place whence such articles are intended to be exported’; and after seizure, the property could be recovered by the owner only on giving bonds for its transfer to some place ‘whence, in the opinion of the collector, there shall not be any danger of such articles being exported.’ The collectors not only received authority to seize at discretion all merchandise anywhere in transit, but were also declared to be not liable at law for their seizures, and were to be supported at need by the army, navy, and militia.

In vain did Giles and the other stanch followers of Jefferson affirm that this bill contained no new principles of legislation; that it was but an extension of ordinary customs laws; and that its provisions were ‘necessary and proper’ for carrying into effect the great constitutional object — the embargo. Giles held so many opinions in the course of his public life that no Federalist cared to ask what might be his momentary theory of the Constitution; but whether as a matter of law he was right or wrong, he could hardly dispute what Gallatin in private admitted, that the powers conferred by his Enforcement Act were ‘most arbitrary,’ ‘equally dangerous and odious.’ The Senate knew well the nature of the work required to be done, but twenty Senators voted for the passage of the bill, December 21, while only seven voted in the negative.

In pressing this measure at a moment so critical, Gallatin may have been bold, but was certainly not discreet. If he meant to break down the

embargo, he chose the best means; if he meant to enforce it, he chose the worst. The Eastern Congressmen made no secret that they hoped to resist the law by force.

They were as good as their word, and when the bill came before the House arguments and threats were closely intermingled; but the majority listened to neither, and January 5, in a night session, forced the bill to its passage by a vote of seventy-one to thirty-two. January 9, the Enforcement Act received the signature of President Jefferson.

Senator Pickering of Massachusetts alone profited by this audacious act of power; and his overwhelming triumph became every day more imminent as the conservative forces of New England arrayed themselves under his lead. Since the departure of Rose, in March, he had basked in the sunshine of success and flattery. Single-handed, he had driven John Quincy Adams from public life and had won the State of Massachusetts, for the first time, to the pure principles of the Essex Junto. That he felt, in his austere way, the full delight of repaying to the son the debt which for eight years he had owed to the father was not to be doubted; but a keener pleasure came to him from beyond the ocean. If the American of that day, and especially the New England Federalist, conceived of any applause as deciding the success of his career, he thought first of London and the society of England; although the imagination could scarcely invent a means by which an American could win the favor of a British public. This impossibility Pickering accomplished. His name and that of John Randolph were as familiar in London as in Philadelphia; and Rose maintained with him a correspondence calculated to make him think his success even greater than it was.

In Professor Adams's downfall, at which I cannot but be amused [wrote Rose from London], I see but the forerunner of catastrophes of greater mark. This practical answer of your common constituents to his reply to you was the best possible. By his retreat he admits his conviction that you were the fitter representative of the State Legislature. In the conversion of Massachusetts, I see the augury of all that is of good promise with you. Let me thank you cordially for your answer to Governor Sullivan. It was an unintentional kindness on his part thus to compel you to bring to the public eye the narrative of a life so interesting, so virtuous, and honorable. Receive the assurance of how anxiously I hope that, though gratitude is not the virtue of republics, the remaining years of that life may receive from yours the tribute of honor and confidence it has so many claims to. In so wishing, I wish the prosperity of your country.

Flattery like this was rare in Pickering's toilsome career; and man, almost in the full degree of his antipathy to demagogic, yearns for the popular regard he will not seek. Pickering's ambition to be President was as evident to George Rose as it had been to John Adams. 'Under the simple appearance of a bald head and straight hair,' wrote the ex-President, 'and under professions of profound republicanism, he conceals an ardent ambition, envious of every superior, and impatient of obscurity.' That Timothy Pickering could become President over a Union which embraced Pennsylvania and Virginia was an idea so extravagant as to be unsuited even to coarsely flavored flattery; but that he should be the chief of a New England Confederation was not an extravagant thought, and toward a New England Confederation events were tending fast. The idea of combining the Eastern States against the embargo — which if carried out put an end to the Union under the actual Constitution — belonged peculiarly to Pickering; and since he first suggested it in his famous embargo letter, it had won its way until New England was ripe for the scheme.

One by one, the Federalist leaders gave their adhesion to the plan. Of all these gentlemen, the most cautious — or, as his associates thought, the most timid — was Harrison Gray Otis, President of the Massachusetts Senate. Never in the full confidence of the Essex Junto, he was always a favorite orator in Boston town meeting and a leader in Boston society; but he followed impulses stronger than his own will, and when he adopted an opinion, his party might feel secure of popular sympathy. December 15, 1808, Otis wrote from Boston to Josiah Quincy at Washington a letter which enrolled him under Pickering's command.

In thus adopting the project of Timothy Pickering for a New England Convention, Otis was not less careful than Pickering himself to suggest that the new Union should be consistent with the old one. American constitutional lawyers never wholly succeeded in devising any form of secession which might not coexist with some conceivable form of Union, such as was recognized by the Declaration of July 4, 1776; but no form of secession ever yet devised could coexist with the Union as it was settled by the Constitution of 1789; and the project of a New England Convention, if carried out, dissolved that Union as effectually as though it had no other object. 'No State shall, without the consent of Congress, . . . enter into an agreement or compact with another State.' Such was the em-

phatic interdict of the Constitution, and its violation must either destroy the Union or give it new shape. Doubtless the Union had existed before the Constitution, and might survive it; but a convention of the New England States could not exist under the Union of 1789.

Another Boston Federalist, second to none in standing, who unlike Otis was implicitly trusted by the Essex Junto, wrote a letter to Senator Pickering, dated five days later:

Our Legislature will convene on January 24 [began Christopher Gore], and what will be proper for us to do under the circumstances of our times is doubtful. . . . By conversing with our friends from the other New England States you might be able to know in what measures and to what extent they would be willing to co-operate with Massachusetts. The opposition, to be effectual of any change in our rulers, should comprehend all New England. These men, I fear, are too inflated with their own popularity to attend to any call short of this.

The action of Massachusetts was to be concerted with Connecticut; and the leading Senator from Connecticut was Pickering's very intimate friend, James Hillhouse, whose amendments to the Constitution, proposed to the Senate in an elaborate speech April 12, 1808, were supposed by his enemies to be meant as the framework for a new Confederacy, since they were obviously inconsistent with the actual Union. Hillhouse and Pickering stood in the most confidential relations. From their common chamber in the 'Six Buildings' they carried on their joint campaign against the embargo; and with this advantage, Pickering in due time wrote his reply to Christopher Gore for the guidance of the Massachusetts General Court:

New England must be united in whatever great measure shall be adopted. During the approaching session of our Legislature there may be such further advances in mischief as may distinctly point out the course proper to be adopted. A convention of delegates from those States, including Vermont, seems obviously proper and necessary. Massachusetts and Connecticut can appoint their delegates with regular authority. In the other States they must be appointed by county conventions. A strong and solemn address, stating as concisely as will consist with perspicuity the evil conduct of our Administration as manifested in their measures, ought to be prepared to be laid before our Legislature when they meet, to be sent forth by their authority, to the people.

Such action was not to be easily reconciled with the spirit of the Constitution, but Pickering attempted to show its accord; and in doing so he completed the revolution which for eight years had been in progress between the two political parties. He placed himself on the precise ground taken by Jefferson in the Kentucky Resolutions of 1798:

Pray look into the Constitution, and particularly to the tenth article of the Amendments. How are the powers reserved to the States respectively, or to the people, to be maintained, but by the respective States judging for themselves, and putting their negative on the usurpations of the general Government?

That the States of Massachusetts and Connecticut meant to take the first step toward a change in the Federal compact was an open secret at Washington before the close of the year. As early as December 29, Gallatin wrote to his friend Nicholson a letter of alarm, which showed that the plan was already known by the Administration:

I actually want time to give you more details, but I will only state that it is intended by the Essex Junto to prevail on the Massachusetts Legislature, who meet in two or three weeks, to call a convention of the five New England States, to which they will try to add New York; and that something must be done to anticipate and defeat that nefarious plan.

Among the Federalists were still a few moderate men who hoped that Jefferson might not be wholly sold to France, and who were inclined to ask for some new policy of peace or war before throwing aside the old one. Pickering's contempt for such allies echoed the old feuds of New England, and revived the root-and-branch politics of the Puritans:

Some *cautious* men here of the Federal Party discovered an inclination to wait patiently till the first of June the promised repeal of the embargo. God forbid that such timid counsels should reach the Massachusetts Legislature, or a single member of it! A million of such men would not save the nation. Defeat the accursed measure now, and you not only restore commerce, agriculture, and all sorts of business to activity, but you save the country from a British war.

Pickering's instructions were exactly followed; his temper infused itself through every New England town. Once more, a popular delusion approaching frenzy — a temporary insanity like the witchcraft and Quaker mania — took possession of the mind of Massachusetts and broke into acute expression. Not for a full century had the old Puritan

prejudice shown itself in a form so unreasoning and unreasonable; but although nearly one-half the people held aloof and wondered at the madness of their own society, the whole history of Massachusetts, a succession of half-forgotten disputes and rebellions, seemed to concentrate itself for the last time in a burst of expiring passions, mingled with hatred of Virginia and loathing for Jefferson, until the rest of America, perplexed at paroxysms so eccentric, wondered whether the spirit of Massachusetts liberty could ever have been sane.

The decision reached by the Federalists at Washington, on or about December 21, when the Enforcement Bill passed the Senate, was quickly known in Massachusetts and without further delay the crisis was begun. Hitherto the tone of remonstrance had been respectful; under cover of the Enforcement Act it rapidly became revolutionary. December 27, 1808, a town meeting at Bath, in the district of Maine, set the movement on foot by adopting resolutions which called on the General Court, at its meeting January 25, to take 'immediate steps for relieving the people, either by themselves alone, or in concert with other commercial States'; while at the same time the town voted 'that a committee of safety and correspondence be appointed, to correspond with committees of other towns, . . . and to watch over the safety of the people of this town and to give immediate alarm so that a regular meeting may be called whenever any infringement of their rights shall be committed by any person or persons under color and pretense of authority derived from any officer of the United States.' This extravagant measure, evidently intended to recall the memory of 1776, was quickly imitated by the town of Gloucester, which, January 12, formally approved the resolutions passed at Bath, voted an address to the General Court, and appointed a committee of public safety. In the county of Hampshire, a public meeting of citizens, January 12, announced 'that causes are continually occurring which tend to produce a most calamitous event — a dissolution of the Union'; and January 20, a meeting at Newburyport, in Senator Pickering's County of Essex, voted, 'That we will not aid or assist in the execution of the several embargo laws, especially the last, and that we consider all those who do as violators of the Constitution of the United States and of this Commonwealth; and that they be considered as unworthy of the confidence and esteem of their fellow-citizens.'

On the eve of the day fixed for the General Court to assemble, in the

midst of town meetings far and near, Boston called a meeting at Faneuil Hall. The town had grown to a population of more than thirty thousand, but old citizens could remember the Stamp Act and the Boston Port Bill; they had seen Samuel Adams and John Hancock defy, in Faneuil Hall, the power of Parliament; and the same town meeting which had stood firm against King George, even to the point of armed rebellion, still existed unchanged, ready to resist the tyranny of a Virginia President. January 23, four thousand citizens swarmed to the hall famous for its Revolutionary associations; and in the minds of all, either as a hope or a terror, revolution was the absorbing thought.

Socially, nothing could be more respectable than the assembly. The names of the committee appointed to draft a petition to the General Court included the best people of Boston. The list began with Thomas Handasyd Perkins, and included Samuel Dexter, John Warren, William Sullivan, Jonathan Mason, and Theodore Lyman — members of a city aristocracy which still existed in vigor as robust as in the days when aristocracy was sustained by English example and patronage. Chief Justice Parsons, who freely expressed his opinion that the embargo was unconstitutional, had no part in the proceedings; but on his privately given advice the meeting was to take its stand.

The Essex Junto, willing to escape its own unpopularity, surrendered the apparent lead to a man who shared in few of the extreme opinions of Pickering, Parsons, and George Cabot — a man who stood second to no Federalist in ability, but who had never sympathized with Alexander Hamilton's feuds or with factious hostility either to Federalist or to Republican Presidents. Samuel Dexter, Secretary of War in 1800, Secretary of the Treasury in 1801, a lawyer of the highest standing, had been employed to argue against the constitutionality of the Embargo Act before Judge Davis in September, and although he lost his cause, he stoutly maintained the soundness of his argument. In truth, the question was still open; and since the trial at Salem, the Enforcement Act had greatly strengthened constitutional objections already strong. Dexter believed that his duty required him to join in protesting against such legislation, and accordingly he took an active part in drafting and defending the resolutions and memorial reported by his committee, which appealed to the General Court 'for their interposition to save the people of this Commonwealth from the destructive consequences which they apprehend

to their liberties and property from the continuance of the present system.'

No measure reported by Samuel Dexter was likely to satisfy the hot temper of a town meeting. The regular resolutions were duly adopted, with little vigorous opposition, and the meeting adjourned till the next day; but when the citizens reassembled, January 24, they passed another resolve, offered by Daniel Sargent, which startled the law-abiding public of Massachusetts by formally declaring that 'we will not voluntarily aid or assist in the execution' of the Enforcement Act; and that 'all those who shall so assist in enforcing upon others the arbitrary and unconstitutional provisions of this Act ought to be considered as enemies to the Constitution of the United States and of this State and hostile to the liberties of this people.'

Alarming as was the tone of Boston, Samuel Dexter and his associates avoided taking open part with the British Government against their own. Elsewhere no such reticence was shown. Not only in private, in all places, at every table, did the bitterness of New England temper and the intensity of local prejudice allow themselves the freest expression, but the numerous town meetings also showed a spirit rather British than American. Among many examples a few are worth recalling, to show the absence of national feeling, and the difficulties and dangers which stood in the nation's way.

January 24, the town of Beverly, in Essex County, voted that

They have witnessed with regret too strong a propensity to palliate and overlook the unjust aggressions of one foreign nation and to exaggerate and misrepresent the conduct of another; that the measures pursued are calculated and designed to force us into a war with Great Britain — a war which would be extremely detrimental to our agriculture, fatal to our commerce, and which would probably deprive us forever of the Bank fishery — and to unite us in alliance with France, whose embrace is death.

The little town of Alfred, in Maine, sent to the General Court a petition which charged the National Government with endeavoring 'to provoke a ruinous and destructive war with England, to gratify the ambition and caprice, and augment the power, of the tyrant of France.'

These extracts showed the temper in which the Massachusetts Legislature met. The numerous petitions on the subject of the embargo were referred to committees. Without loss of time the Senate committee, February 1, made a report recommending an Act to secure the people of

the State from ‘unreasonable, arbitrary, and unconstitutional searches in their dwelling-houses’; to which was added a series of four resolutions, closing with a formal adoption of the step so long desired by Senator Pickering.

*Resolved*, That the Legislature of this Commonwealth will zealously co-operate with any of the other States in all legal and constitutional measures for procuring such amendments to the Constitution of the United States as shall be judged necessary to obtain protection and defense for commerce, and to give to the commercial States their fair and just consideration in the Government of the Union; and for affording permanent security, as well as present relief, from the oppressive measures under which they now suffer.

These resolutions proclaimed that a union of the Eastern States against the National Government was the earnest wish of Massachusetts; and the advance thus made was instantly met by Connecticut, where Jonathan Trumbull, a Federalist of pure stock, who had for ten years filled the chair of Governor, called a special meeting of the Legislature in pursuance of the arrangement concerted at Washington.

In calling together the Legislature of Connecticut, Governor Trumbull’s object of resisting the embargo was avowed. So bluntly did the Federalists proclaim their purpose that, when the Connecticut Legislature met, February 23, the Governor in his opening speech explained his action as though it were a matter of course that he should call upon the State to nullify an Act of Congress.

Whenever our National Legislature [he said] is led to overleap the prescribed bounds of their constitutional powers, on the State Legislatures in great emergencies devolves the arduous task — it is their right, it becomes their duty — to interpose their protecting shield between the rights and liberties of the people and the assumed power of the general Government.

If Madison was not by that time weary of his own words — if the Resolutions of 1798 and the fatal ‘interpose’ of Virginia had not become hateful to his ears — he might have found some amusement in the irony with which Trumbull flung the familiar phrases of Virginia back into her face; but serious as such conduct was, the mere defiance carried less alarm than was warranted by the signs of secret concert with England which the Federalists willingly betrayed. Trumbull and Hillhouse,

Pickering and Otis, were not necessarily masters of the situation, even when at the head of all New England; but when they pointed significantly at the fleets and armies of Great Britain behind them, they carried terror to the heart of the Union. So little did they hide their attitude toward the British Government that their organ, the *New England Palladium*, published, January 6, Canning's personal letter of September 23, 1808, to Pinkney, which Madison had suppressed. How it had been obtained no one knew. The British Foreign Office seemed to stand in direct communication with Boston, while the Boston Federalists exulted in a chance to swell what they thought the triumph of George Canning over their own Federalist friend, William Pinkney.

Tactics like these, unscrupulous though they might be, were effective. Jefferson and Madison had the best reason to know the force of such factiousness, for only ten years before, on less provocation, they had themselves led in Virginia and Kentucky a movement with a similar purpose; but although their history as leaders of an Opposition implied agreement in principle with the doings of Massachusetts and Connecticut, their dignity and interest as Presidents of the United States required them to carry out the laws they had advised and approved. Whatever might be the personal wishes of a few men like Pickering, the great mass of Federalists wished at heart no more harm to the country than to overthrow and humiliate Jefferson and to cripple Madison from the start; while the Administration, on its side, in struggling to escape a personal humiliation, was obliged to adopt any course that offered the best hope of success, even though it should sacrifice the national character. As the last weeks of President Jefferson's Administration approached, this personal conflict — the bitterness of sixteen years — concentrated its virulence upon a single point, but that point vital to Jefferson's fame and popularity — the embargo.

Rarely in American history has been seen a struggle more furious or less ennobling than that which took place at Washington in the months of January and February, 1809. With a bold face, but with small confidence, Madison and Gallatin pressed their measures. After passing the Enforcement Act on the morning of January 6, Congress turned at once to a matter even more serious. January 7, a resolution was offered in the House providing for an early meeting of the next Congress, and in the short debate that followed, a distinct line began for the first time to

divide the advocates of war from the partisans of peace. The extra session was avowedly to be called for the purpose of declaring war. Simultaneously a bill was introduced to raise, arm, and equip fifty thousand volunteers to serve for the term of two years. The fourth Monday in May was the date proposed for the extra session, and Congress at last found itself face to face with the naked issue of war.

The effect of the crisis upon Congress was immediate. Doubt, defiance, dismay, and disgust took possession of the Legislature, which swayed backward and forward from day to day, as courage or fear prevailed. The old Republicans, who could not yield their faith in the embargo, begged almost piteously for delay.

Macon declared that the embargo was still the people's choice: "As to the people being tired of the embargo, whenever they want war in preference to it they will send their petitions here to that effect. . . . Let each man put the question to his neighbor whether he will have war or embargo, and there is no doubt but he will answer in favor of the latter."

Such reasoning gave a tone of weakness and irresolution to the debate, while it acted on the Federalists with the force of defiance and drew from Josiah Quincy a speech which long remained famous and which no Republican ever forgot or forgave.

That this strong, self-asserting Boston gentleman, gifted, ambitious, the embodiment of Massachusetts traditions and British prejudices, should feel deep contempt for the moral courage and the understanding of men whose motives were beyond the range of his sympathies and experience, was natural; for Josiah Quincy belonged to a class of Americans who cared so intensely for their own convictions that they could not care for a nation which did not represent them; and in his eyes Jefferson was a transparent fraud, his followers were dupes or ruffians, and the nation was hastening to a fatal crisis. Yet with all this to excuse him, his language still passed the bounds of license. He began by reaffirming that deception had been practiced on the House when the President induced it to adopt the embargo without alluding to its coercive purpose.

So far as concerned President Jefferson, this charge was true; but everyone knew that Jefferson habitually threw responsibility on Congress, and after the scandal made by John Randolph in the Spanish affair of 1805, the House alone was to blame if it incurred consequences which were

evident on the face of its measures. Quincy next asserted a worse and more mischievous charge:

Not only that embargo was resorted to as a means of coercion, but from the first it was never intended by the Administration to do anything else effectual for the support of our maritime rights. Sir, I am sick — sick to loathing — of this eternal clamor of ‘war, war, war!’ which has been kept up almost incessantly on this floor now for more than two years. Sir, if I can help it, the old women of this country shall not be frightened in this way any longer. I have been a long time a close observer of what has been done and said by the majority of this House, and for one I am satisfied that no insult, however, gross, offered to us by either France or Great Britain, could force this majority into the declaration of war. To use a strong but common expression, it could not be kicked into such a declaration by either nation.

Insults are pointless unless they have a foundation of truth or probability. The Parliament of Great Britain would have laughed at such a taunt; Napoleon would not have understood what it meant; but Congress drew a deep breath of dismay, for every member knew that, openly and secretly, in public and in private, the single decisive argument against war had been and still was — fear. After four years of outrage such as would have made the blood of an Englishman or a Frenchman turn to fire in his veins, not an American could be found, between Canada and Texas, who avowed the wish to fight. Quincy’s speech produced a momentary outbreak of passion; hot retorts were made; the Chamber rang with epithets of abuse; but still no one professed to want war. The House twisted and turned like a martyr on his bed of steel, but its torture was of painful doubt, not of passion.

So far as mere words affected the public mind, Josiah Quincy’s taunt, not less than the sarcasms of Canning and the arrogance of Napoleon, stung Americans beyond endurance. His argument, if somewhat brutal, was strong; and within four-and-twenty hours the House met it in the only way that could preserve the dignity of Congress and the Administration, by passing the bill for an extra session with eighty votes against twenty-six. This result was reached January 20, and seemed to prove that the Government had overcome its difficulties and mastered the situation; but nothing was farther from the truth. Quincy knew what was passing behind the scenes. The Administration, so far from gaining

strength, barely showed steadiness. At the moment when New England flung herself, with every sign of desperate rage, across the path of Government, faction within the Republican Party struck Madison a severe blow before he had time for defense.

'The Smith faction, or ruling party,' of which Wilson Cary Nicholas was file-leader in the House, and which never failed to make its influence felt in moments of trouble, had gained in the Senate an ally whose selfishness was equal to that of General Smith and whose nature was far more malignant. Of all the enemies with whom Madison had to deal, only one in his own party was venomous. Old George Clinton, though openly hostile, possessed strong qualities, and in any event was too old for serious effort. Samuel Smith played the game of politics somewhat too much like a game of whist, in which he allowed his trumps to fall indifferent on his partners or on his opponents, whenever he saw the chance to insure a trick to his own hand; but Smith was still a man from whom in the last resort courage and energy might be expected, and in whom, selfishness apart, confidence could be placed. No such redeeming quality could be truthfully attributed to William Branch Giles, the Senator from Virginia, the third member of the senatorial cabal who was about to place himself in the path of the Administration and to apply his abilities and persistence to the deliberate task of blocking the wheels of government.

Giles had served his party long and well and thought himself entitled to higher recognition than he had as yet received. In later times a safe seat in the Senate became almost the highest prize of politics — men sometimes preferred it to a candidacy for the Presidential office itself; but in 1809 the Cabinet stood above the Senate, and Giles looked upon himself as entitled to the Department of State and in due time to the Presidency. Madison, with a different view of the public good and of his own comfort, betrayed the intention of appointing Gallatin his Secretary of State; and Gallatin's fitness for the post was so evident as to make his appointment the best that could be suggested; but at the first rumor of the intention, Giles united with Smith in threatening to procure the rejection of Gallatin by the Senate. To deny the President the selection of his own Secretary of State was an act of factiousness which remained without a parallel; but Giles and Smith had both the will and the power to carry their point. Even Wilson Cary Nicholas remonstrated in vain.

From the first [was the story told by Nicholas] Mr. Giles declared his determination to vote against Gallatin. I repeatedly urged and entreated him not to do it; for several days it was an object of discussion between us; there was no way which our long and intimate friendship would justify, consistent with my respect for him, in which I did not assail him. To all my arguments he replied that his duty to his country was to him paramount to every other consideration, and that he could not justify to himself permitting Gallatin to be Secretary of State if his vote would prevent it.

Thus Gallatin's foreign birth — the only objection alleged against him — became the pretext for Giles to declare war against the coming Administration of President Madison. With the aid of Vice-President Clinton, Senator Samuel Smith, and the Federalists, Giles could control the Senate; and every factious interest which wished to force on Madison an object of its own was sure to ally itself with these intriguers until its object should be conceded. The Senate was already a hotbed of intrigue, where William B. Giles, Timothy Pickering, George Clinton, and Samuel Smith held control; and unless Madison by some great effort of force or skill could crush Giles, in time not only the new Administration, but also the Union itself, might find a deadly danger in the venom of his selfishness.

At the close of January, affairs at Washington were trembling on a poise. The laws required for Madison's purpose were all passed save one; but the party was rent in pieces by faction. Discipline was at an end; the States of Massachusetts and Connecticut were openly adopting treasonable measures; and the great trial of strength — the decision of Congress on immediate repeal of the embargo — had not yet been reached.

## CHAPTER FIFTY-NINE

### *Repeal of Embargo and Jefferson's Retirement*

EARLY IN JANUARY the intended policy of Madison became known. As the story has already told, Madison and Gallatin decided to retain the embargo until June, but to call the new Congress together May 22 and then to declare war, unless Erskine could make concessions. President Jefferson was chiefly interested in maintaining the embargo until after March 4, and the despotism he had so long maintained over Congress seemed still to exasperate his enemies. By common consent, attack upon the embargo was regarded as attack upon the President.

Jefferson asked only to be spared the indignity of signing with his own hand the unconditional repeal of the embargo; while the single point on which Story, Bacon, Pickering, and Canning were agreed was that the repeal should be the act of the man who made the law. On one side Jefferson, Madison, Gallatin, and their friends entreated Congress to stand firm; to maintain the ground already solemnly taken; to leave the embargo until June and then to declare war if they pleased. On the other hand, Pickering, Bacon, Story, the Clintons, and the Pennsylvanians demanded immediate repeal — partly to pacify New England, but quite as much for the reason, which Pickering urged, that immediate repeal would prevent war. That it would in fact prevent war was obvious. Repeal was submission.

As soon as the naval and military bills and the extra session for May 22 were at last fairly determined and every detail decided, Wilson Cary Nicholas took the lead of the House, and January 30 called up a resolution intended to settle the policy of embargo and war. The words of this resolve were too serious not to have received very careful attention:

*Resolved*, As the opinion of this House, that the United States ought not to delay beyond the — day of — to resume, maintain, and defend the navigation of the high seas; and that provision ought to be made by law for repealing on the — day of — the several embargo laws and for authorizing at the same time letters of marque and reprisal against Great Britain and France, provided on that day their Orders or Edicts violating the lawful commerce and neutral rights of the United States shall be in force; or against either of those nations having in force such Orders or Edicts.

Nicholas agreed to divide the resolution so that a test vote might first be taken on the repeal of the embargo; and he then moved to fill the blank with the words, ‘the first day of June.’ The House was thus asked to pledge itself that on June 1 the embargo should cease. On this question the debate began.

David R. Williams was a typical Carolinian. With something of the overbearing temper which marked his class, he had also the independence and the honesty which went far to redeem their failings. He had stood for years, with his friend Macon, proof against the influence of patronage and power; he supported the embargo and was not ashamed to avow his dread of war; but since his favorite measure was to be thrown aside, he stood by his character and made an appeal to the House, giving at once to the debate an air of dignity which it never wholly lost:

Will you drive us to a repeal of the embargo and make no resistance? Are you ready to lie down quietly under the impositions laid upon you? You have driven us from the embargo. The excitements in the East render it necessary that we should enforce the embargo with the bayonet or repeal it. I will repeal it — and I could weep over it more than over a lost child. If you do not resist, you are no longer a nation; you dare not call yourself so; you are the merest vassals conceivable.... I appeal to the minority, who hold the destinies of the nation in their grasp — for they can enforce embargo without the bayonet — I beg them, if they will not declare war, that they will do the best they can for their country.

No one then wondered to see South Carolina almost on her knees before Massachusetts, beseeching her, on her own terms, for her own honor, to do the best she could for the common country; but Massachusetts had no voice to respond.

Between the Federalists and the Republicans of Massachusetts Congress was left under no illusions. On the evening of February 2, after four days of debate, the committee, by seventy-three votes against forty, rejected Wilson Cary Nicholas's motion to fix June 1 as the date for removing the embargo; and the next day, by an affirmative vote of seventy, with no negatives, March 4 was fixed as the term.

Immediately after this decisive division, John Randolph took the floor. Discord had become his single object in public life. The Federalists at least had a purpose in their seditiousness and were honest in preferring the British Government to their own; the Republicans of all shades,

however weak in will or poor in motive, were earnest in their love of country; but Randolph was neither honest nor earnest, neither American nor English, nor truly Virginian. Disappointed ambition had turned him into a mere egoist; his habits had already become intemperate and his health was broken; but he could still charge upon Jefferson all the disasters of the country and could delight in the overwhelming ruin which had fallen upon his former chief. Randolph's speech of February 3 was stale and tedious. Except on the single point of raising the embargo, he was spiritless; and his only positive idea, borrowed from the Federalists, consisted in a motion that, instead of issuing letters of marque, Government should authorize merchant vessels to arm and defend themselves from seizure. If the scheme had a meaning, it meant submission to the British Orders and was suggested by the Federalists for no other object; but in Randolph's mind such a plan carried no definite consequence.

On Randolph's motion the debate continued until February 7. The Republicans, disconcerted and disheartened by the conduct of their friends from New England and New York, made little show of energy and left to David R. Williams the task of expressing the whole ignominy of their defeat. Williams struggled manfully. With more than Federalist bitterness he taunted the hesitation of the Democrats — ‘contemptible cowardice,’ he called it. ‘It is time we should *assume*, if it is not in our natures, nerve enough to decide whether we will go to war or submit.’ The House replied by striking out the recommendation of reprisals by a vote of fifty-seven to thirty-nine.

These two votes rendered the Administration for the moment powerless to make head against the sweeping Federalist victory. Josiah Quincy, who watched every symptom of Democratic disaster, wrote as early as February 2, before the first defeat of the Administration: ‘There is dreadful distraction in the enemy’s camp on the subject of removing the embargo. Jefferson and his friends are obstinate. Bacon and the Northern Democrats are equally determined that it shall be raised in March.’ The next day Quincy added: ‘Jefferson is a host; and if the wand of that magician is not broken, he will yet defeat the attempt.’

The contest had become personal; to break the ‘wand of the magician’ was as much the object of Democrats as of Federalists, and neither Madison nor Gallatin could restore discipline.

President Jefferson, though his name was still a terror to his enemies,

accepted whatever decision his Cabinet advised. Till the day of his death he never forgot the violence of these last weeks of his Administration or the outcry of the New England towns. ‘How powerfully did we feel the energy of this organization in the case of the embargo,’ he wrote long afterward. ‘I felt the foundations of the Government shaken under my feet by the New England townships.’ He showed the same lack of interest in February which had marked his conduct in November; not even the certainty of his own overthrow called out the familiar phrases of vexation.

As the President became more subdued, Senator Pickering became more vehement; his hatred for Jefferson resembled the hatred of Cotton Mather for a witch.

After the repeal of the embargo and the refusal to make war, but one remnant of American protest against British aggressions remained. The Republican caucus, February 7, decided in favor of returning to Jefferson’s pacific non-intercourse — the system which had been, by common consent, thrown aside as insufficient even before the embargo. The Non-Intercourse Bill was reported February 11 to the House from the Committee of Foreign Relations. The bill excluded all public and private vessels of France and England from American waters; forbade under severe penalties the importation of British or French goods; repealed the embargo laws, ‘except so far as they relate to Great Britain or France or their colonies or dependencies, or places in the actual possession of either’; and gave the President authority to reopen by proclamation the trade with France or England in case either of these countries should cease to violate neutral rights. That the proposed non-intercourse was in truth submission to the Orders in Council, no one denied.

‘I conceive that great advantages may be reaped from it by England,’ wrote Erskine, ‘as she has the command of the seas and can procure through neutrals any of the produce of this country, besides the immense quantity which will be brought direct to Great Britain under various pretenses; whereas France will obtain but little, at a great expense and risk.’

When this bill came before the House, another long debate arose. Hardly a trace of national pride remained. No one approved the bill, but no one struggled longer against submission.

Much the strongest speech against the bill was that of George W.

Campbell, who made no attempt to hide his mortification at seeing the House desert him, its leader, and turn its back upon the pledge it had solemnly given in accepting his report only two months before. Although events had already proved that no appeal to self-respect called out a response from this Congress, Campbell might reasonably suppose that arguments of self-interest would be heard; and he pressed one objection to the bill which, in theory, should have been decisive: 'The non-intercourse would press most severely on the Southern and Western States, who depend chiefly on the immediate exchange of their productions for foreign goods, and would throw almost the whole commerce of the nation into the hands of the Eastern States, without competition, and also add a premium on their manufactures at the expense of the agricultural interest to the South and West. Foreign goods being excluded, the manufacturing States would furnish the rest of the Union with their manufactured goods at their own prices.'

A moment's reflection must have satisfied the Republicans that this argument against the bill was fatal. Non-intercourse must ruin the South, in order to offer an immense bribe to the shipping and manufactures of New England as an inducement for New England to remain in the Union. The manufacturing interests never ventured to ask such extravagant protection as was thrust upon them in 1809 by the fears of the agricultural States; the greed of corporate capital never suggested the monopoly created for Eastern ships and factories by a measure which shut from America all ships and manufactures but theirs. Even if but partially enforced, such legislation was ruinous to agriculture.

Entreaty and argument were thrown away. The House lost discipline, self-respect, and party character. No one felt responsible for any result, no majority approved any suggestion. As the last days of the session drew near, the machinery of legislation broke down and Congress became helpless. So strange and humiliating a spectacle had not before been seen. The nation seemed sinking into the weakness of dissolution.

Vote after vote was taken; again and again the ayes and noes were called on dilatory motions of adjournment; but every motion looking toward war was steadily voted down, and in the end, February 27, the Non-Intercourse Bill in its most unresisting shape received the approval of the House. Not a speaker defended it; at the last moment the charge was freely made that the bill had not a single friend. The members who

voted for it declared in doing so that the measure was a weak and wretched expedient, that they detested it, and took it merely as a choice of evils; but eighty-one members voted in its favor, and only forty in the negative. More extraordinary still, this non-intercourse, which bound the South to the feet of New England, was supported by forty-one Southern members, while but twelve New England Representatives recorded their names in its favor.

The repeal of the embargo, which received the President's signature March 1, closed the long reign of President Jefferson; and with but one exception the remark of John Randolph was destined to remain true, that 'never has there been any Administration which went out of office and left the nation in a state so deplorable and calamitous.' That the blame for this failure rested wholly upon Jefferson might be doubted; but no one felt more keenly than he the disappointment under which his old hopes and ambitions were crushed.

Loss of popularity was his bitterest trial. He who longed like a sensitive child for sympathy and love left office as strongly and almost as generally disliked as the least popular President who preceded or followed him. He had undertaken to create a government which should interfere in no way with private action, and he had created one which interfered directly in the concerns of every private citizen in the land. He had come into power as the champion of States-rights, and had driven States to the verge of armed resistance. He had begun by claiming credit for stern economy, and ended by exceeding the expenditure of his predecessors. He had invented a policy of peace, and his invention resulted in the necessity of fighting at once the two greatest Powers in the world.

Not even in 1798 had factiousness been so violent as in the last month of President Jefferson's power; in 1800 the country in comparison had been contented. February 23, 1809, nearly three weeks after the disastrous overthrow of the embargo in Congress, the Connecticut Legislature met in special session to 'interpose' between the people and the National Government. In a report echoing the words of Governor Trumbull's speech, the House instantly approved his refusal to aid in carrying out the 'unconstitutional and despotic' Enforcement Act, and pledged itself to join the Legislature of Massachusetts in the measures proposed 'to give to the commercial States their fair and just consideration in the Union.' The spirit in which Massachusetts meant to act was

shown in a formal Address to the People issued by her Legislature March 1, bearing the official signatures of Harrison Gray Otis, President of the Senate, and Timothy Bigelow, Speaker of the House.

'Protesting in the sight of God the sincerity of their attachment to the Union of the States, and their determination to cherish and preserve it at every hazard until it shall fail to secure to them those blessings which alone give value to any form of government,' the Massachusetts Legislature laid before the people of the State certain reports and measures adopted for the purpose of impeding the embargo laws, and apologized for having done no more, on the ground that more could not have been done 'without authorizing a forcible resistance to Acts of Congress — an ultimate resource so deeply to be deprecated that the cases which might justify it should not be trusted even to the imagination until they actually happen.' Less than forty years before, Massachusetts had used much the same language in regard to Acts of Parliament, and the world knew what then followed; but even in the bitterest controversies over Stamp Act or Port Bill, the General Court of Massachusetts had never insulted King George as they insulted President Jefferson. The Address at great length asserted that his Government was laboring under 'an habitual and impolitic predilection for France.'

On the other hand, war with England must lead to alliance with France; and that a connection with France 'must be forever fatal to the liberty and independence of the nation is obvious to all who are not blinded by partiality and passion.' The dogma that a British war must dissolve the Union had become more than ever an article of Federalist faith. Even Rufus King, writing to Pickering, January 31, said: 'The embargo, as we are now told, is to give way to war. If the project be to unite with France against England, the Union cannot be preserved.'

Union of New England against the National Union — an idea hitherto confined to the brain of Timothy Pickering — had become the avowed object of the Massachusetts and Connecticut Legislatures. 'Nothing less than a perfect union and intelligence among the Eastern States' could answer the objects of Pickering; but side by side with the perfect union of the Eastern States went a perfect intelligence between those States and the British Government. On one side, Pickering maintained relations with Rose; on the other, Sir James Craig kept a secret agent at Boston.

Had Jefferson known that a British emissary was secretly waiting at Boston to profit by the result of eight years' Republican policy, he could not but have felt deep personal mortification mingled with his sense of wrong. Of all Jefferson's hopes, perhaps the warmest had been that of overthrowing the power of his New England enemies — those whom he had once called the monarchical Federalists — the clergy and the Essex Junto. Instead of overthrowing them he had given them, for the first time in their lives, unlimited power for mischief; he had overthrown only the moderate Federalists, who, when forced to choose between treason and embargo, submitted to the embargo and hated its author.

Jefferson submitted in silence, and even with an air of approval, to the abrupt abandonment of his favorite measure. He admitted that the embargo had failed; he even exaggerated its evils and described it as more costly than war. His language implied that the failure of peaceable coercion was no longer a matter of doubt in his mind. He signed without the betrayal of a protest the bill repealing the embargo and talked of war as a necessary evil. Not until more than a year afterward did he admit the bitterness of his disappointment and mortification.

In truth, the disaster was appalling; and Jefferson described it in moderate terms by admitting that the policy of peaceable coercion brought upon him mortification such as no other President ever suffered. So complete was his overthrow that his popular influence declined even in the South. Twenty years elapsed before his political authority recovered power over the Northern people; for not until the embargo and its memories faded from men's minds did the mighty shadow of Jefferson's Revolutionary name efface the ruin of his Presidency. Yet he clung with more and more tenacity to the faith that his theory of peaceable coercion was sound; and when within a few months of his death he alluded for the last time to the embargo, he spoke of it as 'a measure which, persevered in a little longer, we had subsequent and satisfactory assurance would have effected its object completely.'

A discomfiture so conspicuous could not fail to bring in its train a swarm of petty humiliations which for the moment were more painful than the great misfortune. Jefferson had hoped to make his country forever pure and free; to abolish war, with its train of debt, extravagance, corruption, and tyranny; to build up a government devoted only to useful and moral objects; to bring upon earth a new era of peace and good-will

among men. Throughout the twistings and windings of his course as President he clung to this main idea; or if he seemed for a moment to forget it, he never failed to return and to persist with almost heroic obstinacy in enforcing its lessons. By repealing the embargo, Congress avowedly and even maliciously rejected and trampled upon the only part of Jefferson's statesmanship which claimed originality or which in his own opinion entitled him to rank as a philosophic legislator. The mortification he felt was natural and extreme, but such as every great statesman might expect and such as most of them experienced.

The last days of his authority were embittered by a personal slight which wounded him deeply. After the Peace of Tilsit the Emperor Alexander of Russia expressed a wish to exchange ministers with the United States Government. In every point of view America must gain by winning the friendship of Russia; and much as Jefferson disliked multiplying diplomatic offices, he could not but feel that at a time when his ministers were likely at any moment to be driven from France and England, nothing could be more useful than to secure a foothold at St. Petersburg. Without loss of time he created the mission and appointed his old personal friend, William Short, to the new post. For political reasons Jefferson waited till the close of the session, and then, February 24, made this appointment the subject of his last Message to the Senate.

No sooner had the Senate, on receiving this Message, gone into executive session than Senator Bradley of Vermont offered a resolution that any intercourse with Russia, such as the President suggested, might 'be carried on with equal facility and effect by other public agents of the United States without the expense of a permanent minister plenipotentiary.' After much secret debate, the Senate abruptly and unanimously rejected Short's nomination.

The courtesy was flagrant. Dislike of diplomacy was a relic of the old colonial status when America had been dependent on Europe—a prejudice rising chiefly from an uneasy sense of social disadvantage. Whenever America should become strong and self-confident, these petty jealousies were sure to disappear, and her relations with other Powers would be controlled solely by her wants; but meanwhile the Senate in every emergency might be expected to embarrass the relations of the Executive with foreign Governments and to give untenable reasons for its conduct. That the Senate should object could have been no surprise

to Jefferson; but that it should without even a private explanation reject abruptly and unanimously the last personal favor asked by a President for whom every Republican Senator professed friendship, and from whom most had received innumerable favors, seemed an unpardonable insult. So Jefferson felt it.

Public annoyances were for him nearly at an end and could never recur; but unfortunately these public trials came upon him at a moment when his private anxieties were extreme.

In his style of life as President, Jefferson had indulged in such easy and liberal expenses as suited the place he held. Far from showing extravagance, the White House and its surroundings had in his time the outward look of a Virginia plantation. The President was required to pay the expenses of the house and grounds. In consequence, the grounds were uncared-for, the palings broken or wanting, the paths undefined, and the place a waste, running imperceptibly into the barren fields about it. Within, the house was as simple as without, after the usual style of Virginia houses, where the scale was often extravagant, but the details plain. Only in his table did Jefferson spend an unusual amount of money with excellent results for his political influence, for no President ever understood better than Jefferson the art of entertaining; yet his table cost him no excessive sums. A mode of life so simple and so easily controlled should in a village like Washington have left no opening for arrears of debt; but when Jefferson, about to quit the White House forever, attempted to settle his accounts, he discovered that he had exceeded his income. Not his expenses as President, but his expenses as planter dragged him down.

He wrote to his commission merchant entreating him to borrow the money: 'Since I have become sensible of this deficit, I have been under an agony of mortification, and therefore must solicit as much urgency in the negotiation as the case will admit. My intervening nights will be almost sleepless, as nothing could be more distressing to me than to leave debts here unpaid, if indeed I should be permitted to depart with them unpaid, of which I am by no means certain.'

The arrears amounted in truth to twenty thousand dollars. Nothing but immediate and rigid economy could restore the loss, and even with every advantage Jefferson could never hope to live again upon his old scale without incurring bankruptcy; he must cease to be a *grand seigneur*

or drag his family into the ruin which seemed to be the fate of every Virginian.

Under the weight of these troubles, public and private, Jefferson's longing to escape became intense; and his letters repeated, in accents more and more earnest, the single wish that filled his mind.

March 5 he wrote to Armstrong: 'Within two or three days I retire from scenes of difficulty, anxiety, and of contending passions, to the elysium of domestic affections and the irresponsible direction of my own affairs.' A week afterward, Jefferson quitted Washington forever. On horseback, over roads impassable to wheels, through snow and storm, he hurried back to Monticello to recover in the quiet of home the peace of mind he had lost in the disappointments of his statesmanship. He arrived at Monticello March 15, and never again passed beyond the bounds of a few adjacent counties.

With a sigh of relief which seemed as sincere and deep as his own, the Northern people saw him turn his back on the White House and disappear from the arena in which he had for sixteen years challenged every comer. In the Northern States few regrets were wasted upon his departure, for every mind was intent on profiting by the overthrow of his system; but Virginia was still loyal to him, and the citizens of his own county of Albemarle welcomed with an affectionate address his final return. His reply, dignified and full of grateful feeling, seemed intended as an answer to the attacks of partisan grossness and a challenge to the judgment of mankind:

The anxieties you express to administer to my happiness do of themselves confer that happiness; and the measure will be complete if my endeavors to fulfill my duties in the several public stations to which I have been called have obtained for me the approbation of my country. The part which I have acted on the theater of public life has been before them, and to their sentence I submit it; but the testimony of my native county, of the individuals who have known me in private life, to my conduct in its various duties and relations is the more grateful as proceeding from eyewitnesses and observers from triers of the vicinage. Of you, then, my neighbors, I may ask in the face of the world, 'Whose ox have I taken, or whom have I defrauded? Whom have I oppressed, or of whose hand have I received a bribe to blind mine eyes therewith?' On your verdict I rest with conscious security.



BOOK FOUR

*The First Administration of James Madison*

*1809-1813*



## CHAPTER SIXTY

*Alienation from France*

THE *National Intelligencer*, which called public attention only to such points of interest as the Government wished to accent, noticed that President Madison was 'dressed in a full suit of cloth of American manufacture' when he appeared at noon, March 4, 1809, under escort of the 'troops of cavalry of the city and Georgetown,' amid a crowd of ten thousand people, to take the oath of office at the Capitol. The suit of American clothes told more of Madison's tendencies than was to be learned from the language of the Inaugural Address, which he delivered in a tone of voice so low as not to be heard by the large audience gathered in the new and imposing Representatives' Hall. Indeed, the Address suggested a doubt whether the new President wished to be understood. The conventionality of his thought nowhere betrayed itself more plainly than in this speech on the greatest occasion of Madison's life, when he was required to explain the means by which he should retrieve the failures of Jefferson.

The nation expected from him some impulse toward the end he had in mind; foreign nations were also waiting to learn whether they should have to reckon with a new force in politics; but Madison seemed to show his contentment with the policy hitherto pursued, rather than his wish to change it.

Balancing every suggestion of energy by a corresponding limitation of scope, Madison showed only a wish to remain within the limits defined by his predecessor. 'To cherish peace and friendly intercourse with all nations having corresponding dispositions' seemed to imply possible recourse to war with other nations; but 'to prefer in all cases amicable discussion and reasonable accommodation of differences to a decision of them by an appeal to arms' seemed to exclude the use of force. 'To promote by authorized means improvements friendly to agriculture, to manufactures, and to external as well as internal commerce' was a phrase so cautiously framed that no one could attack it. 'To support the Constitution, which is the cement of the Union, as well in its limitations as in its authorities,' seemed a duty so guarded as to need no further antithesis; yet Madison did not omit the usual obligation 'to respect the rights and

authorities reserved to the States and to the people, as equally incorporated with, and essential to, the success of the general system.'

About March 1, Wilson Cary Nicholas had called on the President-elect to warn him that he must look for serious opposition to the expected appointment of Gallatin as Secretary of State. Nicholas had the best reason to know that Giles, Samuel Smith, and Leib were bent on defeating Gallatin.

Gallatin's fitness was undisputed, and the last men who could question it were Giles and Samuel Smith, who had been his friends for twenty years, had trusted their greatest party interests in his hands, had helped to put the Treasury under his control, and were at the moment keeping him at its head when they might remove him to the less responsible post of Minister for Foreign Affairs. Any question of Gallatin's patriotism suggested ideas even more delicate than those raised by doubts of his fitness. A party which had once trusted Burr and which still trusted Wilkinson, not to mention Giles himself, had little right to discuss Gallatin's patriotism, or the honesty of foreign-born citizens. The appointment of Gallatin not only seemed to be, but actually was, necessary to Madison's Administration.

No argument affected the resistance of Giles and Samuel Smith, and during the early days of March Madison could see no means of avoiding a party schism. From that evil, at such a stage, he shrank. While the subject still stood unsettled, some unknown person suggested a new idea. If Robert Smith could be put in the Treasury, his brother Samuel would vote to confirm Gallatin as Secretary of State. The character of such a transaction needed no epithet; but Madison went to Robert Smith and offered him the Treasury. He knew Smith to be incompetent, but thought that with Gallatin's aid even an incompetent person might manage the finances; and perhaps his astuteness went so far as to foresee what was to happen — that he should deal with the Smiths on some better occasion in a more summary manner. Madison's resemblance to a cardinal was not wholly imaginary.

While Robert Smith went to inquire into the details of Treasury business before accepting the offered post, the President consulted with Gallatin, who rejected the scheme at once. He could not, he said, undertake the charge of both departments; the President would do better to appoint Robert Smith Secretary of State, and leave the Treasury as it

was. Madison seized this outlet of escape. He returned to Robert Smith with the offer of the State Department, which Smith accepted. In making this arrangement, Madison knew that he must himself supply Smith's deficiencies; but stronger wills than that of Madison had yielded to party discontent, and he gained much if he gained only time.

The War and Navy Departments remained to be filled. Dearborn, who had continued in the War Department chiefly to oblige President Jefferson, retired in the month of February to become Collector of the Port of Boston. As his successor, Madison selected William Eustis of Boston, who had served in Congress during Jefferson's first Administration. Eustis was about fifty-six years old; in the Revolutionary War he had filled the post of hospital surgeon, and since the peace he had practiced his profession in Boston.

To succeed Robert Smith at the Navy Department, Madison selected Paul Hamilton of South Carolina. Nothing was known of Hamilton, except that he had been Governor of his State some ten years before. No one seemed aware why he had attracted the President's attention or what qualities fitted him for the charge of naval affairs.

From the outset Madison's Cabinet was the least satisfactory that any President had known. More than once the Federalist Cabinets had been convulsed by disagreements, but the Administration of Madison had hardly strength to support two sides of a dispute.

The factiousness at Washington reflected only in a mild form the worse factiousness elsewhere. The Legislature of Massachusetts, having issued its Address to the People, adjourned; and a few days afterward the people, by an election which called out more than ninety thousand votes, dismissed their Republican Governor, and by a majority of two or three thousand chose Christopher Gore in his place. The new Legislature was more decidedly Federalist than the old one. New Hampshire effected the same revolution. Rhode Island followed. In New York the Federalists carried the Legislature, as they did also in Maryland.

Even in Pennsylvania, although nothing shook the fixed political character of the State, the epidemic of faction broke out. While the Legislatures of Massachusetts and Connecticut declared Acts of Congress unconstitutional and refused aid to execute them, the Legislature of Pennsylvania authorized Governor Snyder to resist by armed force a mandate of the Supreme Court; and when the United States Marshal

attempted to serve process on the person of certain respondents at the suit of Gideon Olmstead, he found himself stopped by State militia acting under orders.

In a country where popular temper had easier means of concentrating its violence, Government might have been paralyzed by these proofs of low esteem; but America had not by far reached such a stage, and dark as the prospect was, both within and without, Madison could safely disregard dangers on which most rulers had habitually to count. His difficulties were only an inheritance from the old Administration and began to disappear as quickly as they had risen.

On the people of New England other motives began to have effect. The chief sources of their wealth were shipping and manufactures. The embargo destroyed the value of the shipping after it had been diminished by the belligerent edicts; the repeal of the embargo restored the value. The Federalist newspapers tried to prove that this was not the case, and that the Non-Intercourse Act, which prohibited commerce with England, France, or their dependencies, was as ruinous as embargo itself; but the shipping soon showed that Gottenburg, Riga, Lisbon, and the Spanish ports in America were markets almost as convenient as London or Havre for the sale of American produce.

Such rapid and general improvement in shipping proved that New England had better employment than political factiousness to occupy the thoughts of her citizens; but large as the profits on freights might be, they hardly equaled the profits on manufactures. In truth, the manufactoryes of New England were created by the embargo, which obliged the whole nation to consume their products or to go without. The Embargo and Non-Importation Acts went into effect in the last days of 1807. Within less than two years the number of spindles in the cotton mills was increased, or arrangements were made for increasing it, from eight thousand to eighty thousand. Nearly four million dollars of capital were invested in mills, and four thousand persons were in their employ or expected soon to be employed in them.

The manufactures of wool lagged little behind. William Whittemore, who owned the patent for a machine which manufactured wool and cotton cards, reported from Cambridge in Massachusetts, November 24, 1809, that only the want of card-wire prevented him from using all his machines to the full extent of their power. ‘Since the obstructions to our

foreign trade, the manufactures of our country have increased astonishingly,' he wrote.

All the Northern and Eastern States shared in the advantages of this production, for which Virginia with the Western and Southern States paid; but in the whole Union New England fared best. Already the development of small industries had taken place, which, by making a varied aggregate, became the foundation and the security of Yankee wealth. Massachusetts taxed her neighbors on many small articles of daily use. She employed in the single manufacture of hats four thousand persons — more than were yet engaged in the cotton mills. More than a million and a half of hats were annually made, and three-fourths of these were sold beyond the State; between three and four million dollars a year flowed into Massachusetts in exchange for hats alone. At Lynn, in Massachusetts, were made one hundred thousand pairs of women's shoes every year. The town of Roxbury made eight hundred thousand pounds of soap. Massachusetts supplied the country with cut-iron nails to the value of twelve hundred thousand dollars a year. Connecticut supplied the whole country with tinware.

At no time could such industries have been established without the stimulus of a handsome profit; but when Virginia compelled Massachusetts and the Northern States to accept a monopoly of the American market, the Yankee manufacturer must have expected to get, and actually got, great profits for his cottons and woolens, his hats, shoes, soap, and nails. As though this were not more than enough, Virginia gave the Northern shipowners the whole freight on Southern produce, two-thirds of which in one form or another went into the hands of New England shipbuilders, shippers, and merchants. Slowly the specie capital of the Union drifted toward the banks of Boston and New Haven, until, as the story will show, the steady drain of specie eastward bankrupted the other States and the National Government. Never, before or since, was the country so racked to create and support monopolies as in 1808, 1809, and 1810, under Southern rule, and under the system of the President who began his career by declaring that if he could prevent the Government from wasting the labors of the people under the pretense of protecting them, they must become happy. The navy and army of the United States were employed, and were paid millions of dollars, during these years in order to shut out foreign competition and compel New England at the cannon's mouth to accept these enormous bribes.

When Napoleon, August 3, 1808, heard at Bordeaux that the Spaniards had captured Dupont's army at Baylen and Rosily's ships at Cadiz and had thrown eighty thousand French troops back upon the Pyrenees, his anger was great; but his perplexity was much greater. In a character so interesting as that of Napoleon, the moments of perplexity were best worth study; and in his career no single moment occurred when he had more reason to call upon his genius for a resource than when he faced at Bordeaux the failure of his greatest scheme. From St. Petersburg to Gibraltar every shopkeeper knew that England had escaped, and all believed that no combination either of force or fraud could again be made with reasonable hope of driving her commerce from its channels. On this belief every merchant, as well as every Government in the world, was actually shaping calculations. Napoleon also must shape his calculations on theirs, since he had failed to force theirs into the path of his own. The escape of England made useless the machinery he had created for her ruin. Spain, Russia, and Austria had little value for his immediate object, except as their control was necessary for the subjection of England; and the military occupation of Spain beyond the Ebro became worse than a blunder from the moment when Cadiz and Lisbon, Cuba and Mexico, Brazil and Peru, threw themselves into England's arms.

Thenceforward a want of distinct purpose showed itself in Napoleon's acts. Unable either to enforce or to abandon his Continental system, he began to use it for momentary objects — sometimes to weaken England, sometimes to obtain money, or as the pretext for conquests. Unable to hold the Peninsula or to withdraw from it, he seemed at one time resolved on conquest, at another disposed toward retreat. In the autumn of 1808, both paths ran together, for his credit required him to conquer before he could honorably establish any dynasty on the throne; and during the months of September and October, he marched new French armies across the Pyrenees and massed an irresistible force behind the Ebro. A year before, he had thought one hundred thousand men enough to occupy all Spain and Portugal; but in October, 1808, he held not less than two hundred and fifty thousand men beyond the Pyrenees, ready to move at the moment of his arrival.

He left Paris October 29, and twelve days later, November 9, began the campaign which still attracts the admiration of military critics. After disposing in rapid succession of all the Spanish armies, he occupied Madrid

December 4 and found himself at the end of his campaign. At that moment he learned that an English army under Sir John Moore had ventured to march from Portugal into the north of Spain and had already advanced so far toward Burgos as to make their capture possible. The destruction of an English army, however small, offered Napoleon the triumph he wanted. Rapidly collecting his forces, he hurried across the Guadarrama Mountains to cut off Moore's retreat; but for once he was outgeneraled. Sir John Moore not only saved his own army, but also led the French a long and exhausting chase to the extreme northwestern shore of Spain, where the British fleet carried Moore's army out of their reach.

Napoleon would not have been the genius he was had he wasted his energies in following Moore to Corunna. The moment he saw that Moore had escaped, which became clear when the Emperor reached Astorga, January 2, 1809, throwing upon Soult the task of marching one hundred and fifty miles to Corunna after Moore and the British army, Napoleon stopped short, turned about, and with rapidity unusual even for him, quitted Spain forever.

Giving out that the conduct of Austria required his presence at Paris, he succeeded in imposing this fiction upon Europe by the empire of his will. Europe accepted the fable, which became history; but although the Emperor soon disposed of Austria, and although Spain was a more difficult problem than Austria ever was, Napoleon never again ventured within sight of the mistakes he could no longer correct.

Meanwhile, Armstrong, disgusted with the disappointments and annoyances of his residence at Paris, had become anxious to escape without further loss of credit. He could see no hope of further usefulness. As early as October 25, 1808, when the Emperor was addressing his legislative chambers before setting out for Spain, Armstrong wrote to Madison that no good could come from keeping an American minister at Paris. Yet in the enforced idleness of the month when Napoleon was in Spain, Armstrong found one ally whose aid was well worth seeking.

Lord Howick's and Spencer Perceval's Orders in Council served to sharpen Russian as well as American antipathies and brought the two distant nations into a sympathy which was certainly not deep, but which England had reason to fear. In the autumn of 1808, Count Roumanzoff came to Paris to arrange with Champagny the details of their joint diplomacy; and at the same time, in the month of November, William Short

arrived in Paris secretly accredited as minister plenipotentiary at St. Petersburg, but waiting confirmation by the Senate before going to his post. When Armstrong told Roumanzoff that an American minister would soon be on his way to St. Petersburg, the Count was highly pleased, and promised at once to send a full minister to replace André Daschkoff, the chargé at Washington. ‘Ever since I came into office,’ he said to Armstrong, ‘I have been desirous of producing this effect; for in dissolving our commercial connections with Great Britain, it became necessary to seek some other Power in whom we might find a substitute; and on looking round I could see none but the United States who were at all competent to this object.’ So far as concerned England, the alliance promised great advantages; but Armstrong’s chief anxiety affected France, and when he attempted to enlist Roumanzoff in resistance to Napoleon’s robberies, he found no encouragement.

Had Napoleon acted according to rules of ordinary civilization, he would at least have softened the harshness of his commercial policy toward America by opening to the American President some vista of compensation elsewhere. Florida seemed peculiarly suited for this object, and no one so well as Napoleon knew the anxiety of the late Administration to obtain that territory, which, for any legitimate purpose, was useless and worthless to France. In December, 1808, Napoleon could have retained little or no hope of controlling the Spanish colonies by force; yet he ordered the American Government to leave them alone.

From Turreau’s attitude as well as from Armstrong’s letters, the Government at Washington was advised that neither favor nor justice need be expected from Napoleon. This impression, strengthened by all the private advices which arrived from France during the winter of 1808–1809, even though partly balanced by the bulletins of the Emperor’s splendid Spanish campaign, had much to do with the refusal of Congress to declare a double war, which, however general in terms, must in effect be waged against England alone. Anger with France affected Republicans almost as strongly as fear of Napoleon excited Federalists. When the final struggle took place in Congress over the embargo, no small share of the weakness shown by the Administration and its followers was due to their consciousness that the repeal of the embargo would relieve them from appearing to obey an imperial mandate.

A rupture with France seemed certain. Turreau expected it and hoped

only to delay it. In his eyes the Emperor had suffered an indignity that could not be overlooked, although he asked that retaliation should be delayed till autumn. ‘However dissatisfied the French Government may be by the last measures adopted by Congress, I believe it would be well to await the result of the next session two months hence before taking a severer course against the Americans.’ Turreau believed that when the Emperor learned what the late Congress had done, he would strike the United States with the thunderbolt of his power. Doubtless the same impression was general.

As though to remove the last doubt of rupture with Napoleon, the President startled the country by suddenly announcing a settlement of his disputes with England. April 7 Erskine received new instructions from London, and during the next two weeks he was closeted with the President and the Cabinet. April 21 the *National Intelligencer* announced the result of their labors.

## CHAPTER SIXTY-ONE

### *Canning's Concessions*

IN CANNING'S NOTE to Pinkney of September 23, 1808 — the same paper which expressed His Majesty's regret for the embargo 'as a measure of inconvenient restriction upon the American people' — a paragraph easily overlooked had been inserted to provide for future chances of fortune:

It is not improbable, indeed, that some alterations may be made in the Orders of Council as they are at present framed — alterations calculated, not to abate their spirit or impair their principle, but to adapt them more exactly to the different state of things which has fortunately grown up in Europe and to combine all practicable relief to neutrals with a more severe pressure upon the enemy.

This intended change in the Orders depended on the political change which converted Spain from an enemy into an ally. Spencer Perceval did not care to press the cause of British commerce so far as to tax American wheat and salt-fish on their way to Spain and Portugal, where he must himself provide money to pay for them after they were bought by the army commissaries. Accordingly, in December, 1808, a new Order in Council appeared, doing away with the export duties lately imposed by Parliament on foreign articles passing through England. Thenceforward American wheat might be shipped at Liverpool for the Spanish Peninsula without paying ten shillings a quarter to the British Treasury, if only the embargo did not prevent American wheat from entering Liverpool at all.

The year 1809 began with this new spirit of accommodation in British Councils. The causes which produced it were notorious. From the moment Europe closed her ports, in the autumn of 1807, articles commonly supplied from the Continent rose to speculative prices, and after the American embargo the same effect followed with American produce. Flax, linseed, tallow, timber, Spanish wool, silk, hemp, American cotton, doubled or trebled in price in the English markets during the years 1807 and 1808. Colonial produce declined in the same proportion. Quantities of sugar and coffee overfilled the warehouses of London, while the same articles could not be bought at Amsterdam and Antwerp at prices three, four, and five times those asked on the Royal Exchange.

Under the Orders in Council, the whole produce of the West Indies, shut from Europe by Napoleon and from the United States by the embargo, was brought to England, until mere plethora stopped accumulation.

The British armies sent to Spain required large sums in coin for their supplies, and the Spaniards required every kind of assistance. The process of paying money on every hand and receiving nothing but worthless produce could not long continue without turning the exchanges against London; yet a sudden call for specie threatened to shake the foundations of society. Never was credit so rotten. Speculation was rampant and inflation accompanied it. None of the familiar signs of financial disaster were absent. Visionary joint-stock enterprises flourished. Discounts at long date, or without regard to proper security, could be obtained with ease from the private banks and bankers who were competing for business; and although the Bank of England followed its usual course, neither contracting nor expanding its loans and issues, suddenly, at the close of 1808, gold coin rose at a leap from a nominal rate of 103 to the alarming premium of 113. The exchanges had turned, and the inevitable crash was near.

The political outlook took the same somber tone as the finances. Although no one fully understood all that had been done by the Portland Ministry, enough was known to render their fall certain; and Canning saw himself sinking with the rest. He made active efforts to secure his own safety and to rise above the misfortunes which threatened to overwhelm his colleagues.

Canning turned to Pinkney to ascertain how much concession would be safe. The interview took place January 22; but Pinkney's powers had been withdrawn, and he neither could nor would furnish Canning with any assurance on which a concession could be offered with the certainty either that it would be accepted or that it would be refused.

After experimenting upon Pinkney, much as he had sounded Parliament, Canning lost not an hour in composing the new instructions to Erskine. Four in number, all bearing the same date of January 23, they dealt successively with each of the disputed points; but in order to understand the embroilment they caused, readers must carry in mind precisely what Canning ordered Erskine to do and precisely what Erskine did.

The first instruction dealt with the *Chesapeake* affair and the proclamation occasioned by it. Canning instructed Erskine that if French ships-

of-war should be excluded from American ports and if the proclamation should be tacitly withdrawn, he need no longer insist upon the formal recall. Further, Gallatin had suggested that Congress was about to exclude foreign seamen by law from national ships; and Canning admitted also this evasion of his demand that the United States should engage not to countenance desertions. Finally, he withdrew the demand for disavowals which had wrecked Rose's mission.

Evidently the British Government wished to settle the *Chesapeake* affair. Had Canning in like manner swept away his old conditions precedent to withdrawal of the Orders in Council, his good faith would have been above suspicion; but he approached that subject in a different spirit, and imposed one condition after another while he adopted the unusual course of putting each new condition into the mouth of some American official. He drew from Erskine's dispatches the inference that Madison, Smith, and Gallatin were willing to recognize in express terms the validity of the British Rule of 1756. For this misunderstanding Erskine was to blame, but Canning was alone responsible for the next remark, that 'Mr. Pinkney has recently, but for the first time, expressed to me his opinion that there will be no indisposition on the part of his Government to the enforcement, by the naval power of Great Britain,' of the Act of Congress declaring non-intercourse with France. On the strength of these supposed expressions of William Pinkney, Madison, Smith, and Gallatin, none of which was official or in writing, Canning concluded: 'I flatter myself that there will be no difficulty in obtaining a distinct and official recognition of these conditions from the American Government. For this purpose you are at liberty to communicate this dispatch *in extenso* to the American Government.'

Meanwhile the Government of England was falling to pieces. Day by day the situation became more alarming. For months after these dispatches were sent, the Commons passed their time in taking testimony and listening to speeches intended to prove or disprove that the Duke of York, Commander-in-Chief of the Army, was in the habit of selling officers' commissions through the agency of his mistress, a certain Mrs. Clarke; and although the Duke protested his innocence, the scandal drove him from his office. The Ministry was rent by faction; Perceval, Castlereagh, and Canning were at cross-purposes, while the Whigs were so weak that they rather feared than hoped their rivals' fall.

At length, April 26, the reality of the weakness of Perceval and Canning became clear. On that day a new Order in Council appeared, which roused great interest because it seemed to abandon the whole ground taken in the Orders of November, 1807, and to return within the admitted principles of international law. The Order of April 26, 1809, declared that the old orders were revoked and annulled except so far as their objects were to be attained by a general blockade of all ports and places under the Government of France. The blockade thus declared was to extend northward as far as Ems, and was to include on the south the ports of northern Italy. Of course the new blockade was not even claimed to be effective. No squadrons were to enforce its provisions by their actual presence before the blockaded ports. In that respect the Order of April 26, 1809, was as illegal as that of November 11, 1807; but the new arrangement opened to neutral commerce all ports not actually ports of France, even though the British flag should be excluded from them — retaliating upon France only the injury which the French decrees attempted to inflict on England.

Pinkney was greatly pleased, and wrote to Madison in excellent spirits that the change gave all the immediate benefits which could have arisen from the arrangement proposed by him in the previous August. ‘Our triumph is already considered as a signal one by everybody. The pretexts with which Ministers would conceal their motives for a relinquishment of all which they prized in their system are seen through, and it is universally viewed as a concession to America. Our honor is now safe; and by management we may probably gain everything we have in view.’

Early in February, when Congress refused to support Madison’s war policy — the mere shadow of which brought Perceval and Canning almost to their senses — Canning’s instructions were dispatched from the Foreign Office. April 7, more than a month after the Tenth Congress had expired, amidst political conditions altogether different from those imagined by Canning, the instructions reached Washington; and Erskine found himself required to carry them into effect.

A cautious diplomatist would have declined to act upon them. Under pretext of the change which had altered the situation he would have asked for new instructions, while pointing out the mischievous nature of the old. The instructions were evidently impossible to execute; the situation

was less critical than ever before and Great Britain was master of the field.

On the other hand, the instructions offered some appearance of an advance toward friendship. They proved Canning's ignorance, but not his bad faith; and if Canning in good faith wanted a settlement, Erskine saw every reason for gratifying him. The arrogance of Canning's demands did not necessarily exclude further concession. The great Governments of Europe from time immemorial had used a tone of authority insufferable to weaker Powers and not agreeable to one another; yet their tone did not always imply the wish to quarrel, and England herself seldom resented manners as unpleasant as her own. Used to the rough exchange of blows and hardened by centuries of toil and fighting, England was not sensitive when her interests were at stake.

Finally, Erskine was the son of Lord Erskine, and owed his appointment to Charles James Fox. He was half republican by education, half American by marriage; and probably, like all British liberals, he felt in secret an entire want of confidence in Canning and a positive antipathy to the Tory commercial system.

Going at once to Secretary Robert Smith, Erskine began on the *Chesapeake* affair and quickly disposed of it. The President abandoned the American demand for a court-martial on Admiral Berkeley, finding that it would not be entertained. Erskine then wrote a letter offering the stipulated redress for the *Chesapeake* outrage, and Madison wrote a letter accepting it, which Robert Smith signed, and dated April 17.

Two points in Madison's *Chesapeake* letter attracted notice. Erskine began his official note by alluding to the Non-Intercourse Act of March 1 as having placed Great Britain on an equal footing with the other belligerents and warranting acknowledgment on that account. The idea was far-fetched, and Madison's reply was ambiguous:

As it appears at the same time, that in making this offer His Britannic Majesty derives a motive from the equality now existing in the relations of the United States with the two belligerent Powers, the President owes it to the occasion and to himself to let it be understood that this equality is a result incident to a state of things growing out of distinct considerations.

If Madison knew precisely what 'distinct considerations' had led Congress and the country to that state of things to which the Non-

Intercourse Act was incident, he knew more than was known to Congress. The second point challenged sharper criticism.

With this explanation, as requisite as it is frank [Smith's note continued], I am authorized to inform you that the President accepts the note delivered by you in the name and by the order of His Britannic Majesty, and will consider the same with the engagement therein, when fulfilled, as a satisfaction for the insult and injury of which he has complained. But I have it in express charge from the President to state that, while he forbears to insist on the further punishment of the offending officer, he is not the less sensible of the justice and utility of such an example, nor the less persuaded that it would best comport with what is due from His Britannic Majesty to his own honor.

According to Robert Smith's subsequent account, the last sentence was added by Madison in opposition to his Secretary's wishes. One of Madison's peculiarities showed itself in these words, which endangered the success of all his efforts. If he wished a reconciliation, they were worse than useless; but if he wished a quarrel, he chose the right means. The President of the United States was charged with the duty of asserting in its full extent what was due to his own honor as representative of the Union; but he was not required, either by the laws of his country or by the custom of nations, to define the conduct which in his opinion best comported with what was due from His Britannic Majesty to the honor of England.

Having thus disposed of the *Chesapeake* grievance, Erskine took up the Orders in Council. His instructions were emphatic, and he was in effect ordered to communicate these instructions *in extenso* to the President, for in such cases permission was equivalent to order. He disobeyed; in official sense he did not communicate his instructions at all. 'I considered that it would be in vain,' he afterward said. This was his first exercise of discretion; and his second was more serious. After reading Canning's repeated and positive orders to require from the American Government 'a distinct and official recognition' of three conditions, he decided to treat these orders as irrelevant.

Canning offered to withdraw the Orders in Council on three conditions precedent:

(1) That all interdicts on commerce should be revoked by the United States so far as they affected England, while they were still to be en-

forced against France. When Erskine submitted this condition to Robert Smith, he was assured that the President would comply with it, and that Congress would certainly assert the national rights against France, but that the President had no power to pledge the Government by a formal act. Erskine decided to consider Canning's condition fulfilled if the President, under the eleventh section of the Non-Intercourse Act, should issue a proclamation renewing trade with Great Britain, while retaining the prohibition against France. This settlement had the disadvantage of giving no guaranty to England, while it left open the trade with Holland, which was certainly a dependency of France.

(2) Canning further required that the United States should formally renounce the pretension to a colonial trade in war which was not permitted in time of peace. To this condition, which Erskine seems to have stated as applying only to the direct carrying trade to Europe, Robert Smith replied that it could not be recognized except in a formal treaty; but that it was practically unimportant, because this commerce, as well as every other with France or her dependencies, was prohibited by Act of Congress. Erskine accepted this reasoning, and left the abstract right untouched.

(3) Canning lastly demanded that the United States should recognize the right of Great Britain to capture such American vessels as should be found attempting to trade with any of the Powers acting under the French Decrees. To this suggestion Secretary Smith replied that the President could not so far degrade the national authority as to authorize Great Britain to execute American laws; but that the point seemed to him immaterial, since no citizen could present to the United States Government a claim founded on a violation of its own laws. Erskine once more acquiesced, although the trade with Holland was not a violation of law and would probably give rise to the very claims which Canning meant to preclude.

Having thus disposed of the three conditions which were to be distinctly and officially recognized, Erskine exchanged notes with Robert Smith, bearing date April 18 and 19, 1809, chiefly admirable for their brevity, since they touched no principle. In his note of April 18, Erskine said that the favorable change produced by anticipation of the Non-Intercourse Act had encouraged his Government to send out a new envoy with full powers; and that meanwhile His Majesty would recall his

Orders in Council if the President would issue a proclamation renewing intercourse with Great Britain. Secretary Smith replied on the same day that the President would not fail in doing so. April 19, Erskine in a few lines announced himself 'authorized to declare that His Majesty's Orders in Council of January and November, 1807, will have been withdrawn as respects the United States on the tenth of June next.' Secretary Smith answered that the President would immediately issue his proclamation. Two days afterward the four notes and the proclamation itself were published in the *National Intelligencer*.

The United States heard with delight that friendship with England had been restored. Amid an outburst of joy commerce resumed its old paths, and without waiting for June 10 hurried ships and merchandise to British ports. No complaints were heard; not a voice was raised about impressments; no regret was expressed that war with France must follow reconciliation with England; no one found fault with Madison for following in 1809 the policy which had raised almost a revolution against President Washington only fourteen years before. Yet Madison strained the law, besides showing headlong haste, in acting upon Erskine's promises without waiting for their ratification and without even asking to see the British negotiator's special powers or instructions. Accepting quietly a turn of fortune that would have bewildered the most astute diplomatist, Madison made ready to meet the special session of Congress.

The Federalist minority — strong in numbers, flushed by victory over Jefferson, and full of contempt for the abilities of their opponents — found themselves suddenly deprived by Erskine and Madison of every grievance to stand upon. For once, no one charged that Madison's act was dictated from the Tuileries. The Federalist newspapers advanced the idea that their success was the natural result of their own statesmanship. Their efforts against the embargo had opened the path for Canning's good-will to show itself, and the removal of Jefferson's sinister influence accounted for the brilliancy of Madison's success.

The rule that in public life one could never safely speak well of an opponent was illustrated by the mistake of the Federalists in praising Madison merely to gratify their antipathy to Jefferson. Had they been silent, or had they shown suspicion, they would have been safe; but all admitted that French influence and hostility to England had vanished with Jefferson; all were positive that England had gained what she had

sought and that Canning had every reason to be satisfied. For the moment Madison was the most popular President that ever had met Congress. At no session since 1789 had such harmony prevailed as during the five weeks of this political paradise, although not one element had changed its character or position, and the harmony, like the discord, was a play of imagination. Congress passed its bills with unanimity altogether new.

Nothing could be happier for Madison than this situation. So completely was discipline restored that June 27 he ventured to send the name of J. Q. Adams a second time to the Senate as minister to Russia; and nineteen Republicans confirmed the nomination, while but one adhered to the opinion that the mission was unnecessary. The power of England over America was never more strikingly shown than by the sudden calm which fell on the country, in full prospect of war with France, at a word from a British minister. As Canning frowned or smiled, faction rose to frenzy or lay down to slumber throughout the United States.

June 28 Congress adjourned, leaving the Executive, for the first time in many years, almost without care until the fourth Monday in November.

## CHAPTER SIXTY-TWO

### *Disavowal of Erskine*

ERSKINE'S DISPATCHES were received by Canning May 22, and the *Morning Post* of the next day printed the news with approval: 'Upon this pleasing event we sincerely congratulate the public.' The *Times* of May 24 accepted the arrangement: 'We shall not urge anything against the concessions.' May 25, with 'considerable pain, though but little surprise,' the same newspaper announced that Erskine was disavowed by the Government.

Canning's abrupt rejection of Erskine's arrangement without explanation must have seemed even to himself a high-handed course, at variance with some of his late professions, certain to injure or even to destroy British influence in America, and likely to end in war. To the settlement as a practical measure no objection could be alleged. No charge of bad faith could be supported. No shadow of law or reason could be devised for enforcing against America rights derived from retaliation upon France, when America enforced stronger measures of retaliation upon France than those imposed by the Orders in Council. Neither the Non-Importation Act of 1806, nor the *Chesapeake* proclamation of 1807, nor the embargo, nor the Non-Intercourse Act of March, 1809, could be used to justify the rejection of an arrangement which evaded or removed every British grievance. Even the subject of impressments had been suppressed by the American Government. Madison flung himself into Canning's arms, and to fling him back was an effort of sheer violence.

Perhaps the effort gave to Canning's conduct an air that he would not naturally have cared to betray; for his manner was that of a man irritated by finding himself obliged to be brutal. In the want of a reason for rejecting the American arrangement, he was reduced to rejecting it without giving a reason. The process of disciplining Erskine was simple, for Erskine had disregarded instructions to an extent that no Government could afford to overlook; but President Madison was not in the employ of the British King, and had a right to such consideration at least as one gentleman commonly owes to another.

Canning addressed himself first to the simpler task. May 22, a few

hours after receiving the dispatches from Washington he wrote a dispatch to Erskine in regard to the *Chesapeake* arrangement. He reminded Erskine that his instructions had required the formal exclusion of French war-vessels and the formal withdrawal of the *Chesapeake* proclamation before any arrangement should be concluded. Not only had these conditions been neglected, but two other less serious errors had been made.

Variations from the rigor of instructions might be ground for reproving Erskine, but could hardly excuse a disavowal of the compact; yet the compact was disavowed. An impression was general that the Ministry were disposed to ratify it, but were withheld by the paragraph in Robert Smith's letter defining what was due from His Britannic Majesty to his own honor. Milder Foreign Secretaries than George Canning would have found themselves obliged to take notice of such a reflection, and Canning appeared at his best when his adversaries gave him an excuse for the lofty tone he liked to assume.

It remains for me [he continued] to notice the expressions, so full of disrespect to His Majesty, with which that note concludes; and I am to signify to you the displeasure which His Majesty feels that any minister of His Majesty should have shown himself so far insensible of what is due to the dignity of his sovereign as to have consented to receive and transmit a note in which such expressions were contained.

The next day Canning repudiated the rest of the arrangement. Nothing could be easier than to show that Erskine had violated his instructions more plainly in regard to the Orders in Council than in regard to the *Chesapeake* affair. Of the three conditions imposed by Canning, not one had been fulfilled.

To Canning's dispatch repudiating the commercial arrangement, Erskine made a reply showing more keenness and skill than was to be found in Canning's criticism.

It appears from the general tenor of your dispatches [wrote Erskine on receiving these letters of May 22 and 23] that His Majesty's Government were not willing to trust to assurances from the American Government, but that official pledges were to have been required which could not be given for want of power, some of them also being of a nature which would prevent a formal recognition. Had I believed that His Majesty's Government were determined to insist upon these conditions being complied with in one particular manner only, I should have adhered implicitly to my

instructions; but as I collected from them that His Majesty was desirous of accomplishing his retaliatory system by such means as were most compatible with a good understanding with friendly and neutral Powers, I felt confident that His Majesty would approve of the arrangement I had concluded as one likely to lead to a cordial and complete understanding and co-operation on the part of the United States, which co-operation never could be obtained by previous stipulations either from the Government of the United States, who have no power to accede to them, or from Congress, which would never acknowledge them as recognitions to guide their conduct.

This reply, respectful in form, placed Secretary Canning in the dilemma between the guilt of ignorance or that of bad faith; but the rejoinder of a dismissed diplomatist weighed little except in history, and long before it was made public, Erskine and his arrangement had ceased to interest the world. Canning disposed of both forever by a third dispatch, dated May 30, enclosing to Erskine an Order in Council disavowing his arrangement and ordering him back to England.

When the official disavowal appeared in the newspapers of May 25, Canning had an interview with Pinkney. At great length and with much detail he read the instructions he had given to Erskine and commented on the points in which Erskine had violated them. He complained of unfriendly expressions in the American notes; but he did not say why the arrangement failed to satisfy all the legitimate objects of England, nor did he suggest any improvement or change which would make the arrangement, as it existed, agreeable to him. On the other hand, he announced that, though Erskine would have to be recalled, his successor was already appointed and would sail for America within a few days.

His selection of an agent for that purpose was so singular as to suggest that he relied on terror rather than on conciliation. In case Erskine had obeyed his instructions, which ordered him merely to prepare the way for negotiation, Canning had fixed upon George Henry Rose as the negotiator. Considering the impression left in America by Rose on his previous mission, his appointment seemed almost the worst that could have been made; but bad as the effect of such a selection would have been, one man, and perhaps only one, in England was certain to make a worse; and him Canning chose. The new minister was Francis James Jackson. Whatever good qualities Jackson possessed were overshadowed by the reputation he had made for himself at Copenhagen. His name was a

threat of violence; his temper and manners were notorious; and nothing but his rank in the service marked him as suitable for the post.

Canning made no haste. Nearly two months elapsed before Jackson sailed. After correcting Erskine's mistake and replacing the United States in their position under the Orders in Council of April 26, Canning, June 13, made a statement to the House of Commons. Declining to touch questions of general policy for the reason that negotiations were pending, he contented himself with satisfying the House that Erskine had acted contrary to instructions and deserved recall. The Whigs knew little or nothing of the true facts; Erskine's conduct could not be defended; no one cared to point out that Canning left to America no dignified course but war, and public interest was once more concentrated with painful anxiety on the Continent of Europe. America dropped from sight, and Canning's last and worst acts toward the United States escaped notice or knowledge.

The session of Parliament ended June 21, a week before the special session of Congress came to an end; and while England waited impatiently for news from Vienna, where Napoleon was making ready for the battle of Wagram, Canning drew up the instructions to Jackson — the last of the series of papers by which, through the peculiar qualities of his style even more than by the violence of his acts, he embittered to a point that seemed altogether contrary to their nature a whole nation of Americans against the nation that gave them birth. If the famous phrase of Canning was ever in any sense true — that he called a new world into existence to redress the balance of the old — it was most nearly true in the sense that his instructions and letters forced the United States into a nationality of character which the war of the Revolution itself had failed to give them.

Another man would have temporized and would have offered some suggestion toward breaking the force of such a blow at a friendly people. Not only did Canning make no new suggestion, but he even withdrew that which he had made in February. He told Jackson to propose nothing whatever: 'You are, however, at liberty to receive for reference home any proposal which the American Government may tender to you; but it is only in the case of that proposal comprehending all the three conditions which Mr. Erskine was instructed to require.'

With this concluding touch Canning's official irony toward America

ended, and he laid down his pen. About the middle of June, Jackson, with three well-defined *casus belli* in his portfolio, and another — that of impressments — awaiting his arrival, set sail for America on the errand which he strangely hoped might not be desperate. With his departure Canning's control of American relations ceased. At the moment when he challenged for the last time an instant declaration of war from a people who had no warmer wish than to be permitted to remain his friends, the career of the Administration to which he belonged came to an end in scandalous disaster.

April 9, Austria had begun another war with Napoleon. At Essling, May 21, she nearly won a great victory; at Wagram, July 6, she lost a battle, and soon afterward entered on negotiations which ended, October 20, in the Treaty of Vienna. While this great campaign went on, Sir Arthur Wellesley drove Soult out of Portugal much as Napoleon had driven Sir John Moore out of Spain; and then marching up the valley of the Tagus scared Joseph a second time from Madrid, and fought, July 28, the desperate battle of Talavera. In any case the result of the Austrian war would have obliged him to retreat; but the concentration of the French forces in his front quickly drove the British army back toward Lisbon and ended all hope of immediate success in the Peninsula. A third great effort against Napoleon was directed from London toward the Scheldt and Meuse. The Cabinet, June 14, decided that Castlereagh should attempt this experiment; for raids of the kind had charms for a naval power, and although success could affect the war but little, it might assist smuggling and destroy a naval depot of Napoleon. Castlereagh sent to the Scheldt forty thousand soldiers who were grievously wanted on the Tagus. July 28, while Wellington fought the battle of Talavera, Lord Chatham's expedition started from the Downs, and reaching the mouth of the Scheldt occupied itself until August 15 with the capture of Flushing. In gaining this success the army was worn out; nearly half its number were suffering from typhoid, and September 2 the Cabinet unanimously voted to recall the expedition.

Talavera and Flushing closed Castlereagh's career in the War Office, as Jackson's mission closed that of Canning in American diplomacy. Defeat abroad, ruin at home, disgrace and disaster everywhere, were the results of two years of Tory administration. August 11 the Duke of Portland was struck by paralysis; and deprived of its chief, the Cabinet went

to pieces. September 7 Castlereagh was gently forced to resign. Canning, refusing to serve under Perceval or under anyone whom Perceval suggested, tendered his own resignation. In the course of the complicated negotiations that followed, Perceval showed to Castlereagh letters in which for a year past Canning had pressed Castlereagh's removal from office. Then at last Castlereagh discovered, as he conceived, that Canning was not a gentleman or a man of honor, and having called him out, September 21, in a duel on Putney Heath shot him through the thigh.

Such an outcome was a natural result of such an administration; but as concerned the United States Canning had already done all the harm possible and more than three generations could wholly repair.

## CHAPTER SIXTY-THREE

### *Francis James Jackson*

THE NEWS of Erskine's disavowal reached America so slowly that merchants enjoyed three months of unrestricted trade, and shipped to England or elsewhere the accumulations of nearly two years' produce. From April 21 till July 21, this process of depletion continued without an anxiety; and when July 21 news arrived that the arrangement had been repudiated, merchants still had time to hurry their last cargoes to sea before the Government could again interpose.

The first effect of Canning's disavowal seemed bewilderment. No one in the United States, whether enemy or friend of England, could for a time understand why Canning had taken so perplexing a course. Very few of England's friends could believe that her conduct rested on the motives she avowed; they sought for some noble, or at least some respectable, object behind her acts. For several months the Federalist newspapers were at a loss for words and groped in the dark for an English hand to help them; while the Republican press broke into anger, which expressed the common popular feeling. 'The late conduct of the British Ministry,' said the *National Intelligencer* of July 26, 'has capped the climax of atrocity toward this country.' Every hope of reconciliation or even of peace with England seemed almost extinguished; yet the country was still far from a rupture. Not until popular feeling could express itself in a new election would the national will be felt; and the next election was still more than a year away, while the Congress to be then chosen would meet only in December, 1811. Until then war was improbable, perhaps impossible, except by the act of England.

When the news arrived, President Madison was at his Virginia plantation. During his absence Gallatin was in charge of matters at Washington, and on the instant wrote that he thought the President should return. The President heard the news with as much perplexity as anger, and even tried to persuade himself that Canning would be less severe than he threatened.

The outrage on decency committed by the British Government in May, 1809, was on the whole not so great as that of Sir William Scott's decision in the case of the *Essex* in July, 1805; or that of the blockade of

New York and the killing of Pierce in April, 1806; or that of Lord Howick's Order in Council of January, 1807, when the signatures to Monroe's treaty were hardly dry; or that of Spencer Perceval's Orders in November, 1807, and the speeches made in their defense; or the mission of George Henry Rose in the winter of 1807-1808; or Erskine's letter of February 23, or Canning's letters of September 23, 1808 — for all these left the United States in a worse position than that created by the disavowal of Erskine. Indeed, except for the disgrace of submitting to acts of illegal force, the United States stood in a comparatively easy attitude after the Orders of April 26, 1809, so long as Napoleon himself enforced within his empire a more rigid exclusion of neutral commerce than any that could be effected by a British blockade.

Hope vanished when Erskine's instructions became known, and was succeeded by consternation when the public read the reports made by Erskine and Canning of the language used by Madison, Gallatin, and Pinkney. For the first time in this contest, Englishmen and Americans could no longer understand each other's meaning. Erskine had so confused every detail with his own ideas, and Canning's course on one side the Atlantic seemed so little to accord with his tactics on the other, that neither party could longer believe in the other's good faith. Americans were convinced that Canning had offered terms which he intended them to refuse. Englishmen were sure that Madison had precipitated a settlement which he knew could not be carried out. Madison credited Canning with fraud as freely as Canning charged Madison with connivance.

The President remained three days in Washington in order to sign, August 9, a proclamation reviving the Non-Intercourse Act against Great Britain. On the same day the Secretary of the Treasury enclosed this proclamation to the collectors of customs in a circular, with instructions not to enforce the penalties of the law against vessels entering American ports on the faith of Erskine's arrangement. This done, Madison returned to Montpelier, August 10, leaving Erskine to exchange apologetic but very unsatisfactory explanations with Robert Smith and Gallatin.

A month passed without further change, until September 5 Jackson landed at Annapolis, whence he reached Washington September 8. He came with his wife — a fashionable Prussian baroness with a toilette — and young children, for whose health a Washington September was ill-suited; he came, too, with a carriage and liveries, coachmen and servants,

and the outfit of a long residence, as though neither he nor Canning doubted his welcome.

Francis James Jackson had many good qualities and was on the whole the only English minister of his time so severely treated by the American Government as to warrant almost a feeling of sympathy. He was probably suffering from some organic disease which made his temper irritable, while his instructions were such as to leave him no room to show his best capacities in his profession. In ordinary times a man of his experience, intelligence, and marked character might have succeeded in winning at Washington a name for ability and straightforwardness; but he was ill-fitted for the special task he had undertaken and had no clear idea of the dangers to which he was exposed. Gallatin expressed the feeling of the Administration when he advised coming at once to the point with Jackson, and bringing his negotiation to an immediate close.

Gallatin wrote to the President, September 11:

I do not think that there is any necessity to hurry yourself beyond your convenience in returning here. It will be as well the tenth as the first of October, for I am sure, although I have not seen Mr. Jackson and can judge only from what has passed between him and Mr. Smith, that he has nothing to say of importance, or pleasant.

Madison replied, proposing to set out for Washington about the twenty-ninth, but agreeing with Gallatin that in view of 'Jackson's apparent patience and reserve,' his disclosures 'would not be either operative or agreeable.'

October 1, punctual to his word, the President arrived. The next day Erskine had his farewell audience, and October 3 Jackson was officially received. Merry's experience had not been without advantage to both sides; and Jackson, who seemed to feel more contempt for his own predecessors — Merry and Erskine — than for his American antagonists, accepted everything in good part.

Madison's civility quite misled him.

'I do not know,' he wrote October 24, 'that I had ever more civility and attention shown me than at a dinner at the President's yesterday, where I was treated with a distinction not lately accorded to a British minister in this country.'

Evidently this deference pleased the British minister, who saw nothing behind it but a social triumph for himself and his wife; yet he had already

been forced to protest against the ceremonial forms with which Madison studiously surrounded him, and had he read Shakespeare rather than Erskine's writings, he might have learned from Julius Caesar the general diplomatic law that 'when love begins to sicken and decay, it useth ever an enforced ceremony.' A man of tact would have seen that from the moment Madison became formal he was dangerous.

Jackson's interviews with Robert Smith began immediately after the President's arrival in Washington. The first conversation was reported by the British minister to his Government in language so lifelike, but showing such astonishment on both sides at the attitude of each, as to give it place among the most natural sketches in American diplomatic history. After some fencing on the subject of Erskine's responsibility, Jackson passed to the subject of his own instructions, and remarked that he was ordered to wait for propositions from the President.

Here the American minister [reported Jackson] exhibited signs of the utmost surprise and disappointment. He seemed to be so little prepared for this close of my conversation that he was some time before he could recollect himself sufficiently to give me any answer at all. . . . Accordingly a considerable pause in our conversation took place, which at length he broke in upon by saying: 'Then, sir, you have no proposal to make to us — no explanation to give? How shall we be able to get rid of the Non-Intercourse Act?'

Robert Smith was a wearisome burden to Madison and his incompetence made no agreeable object of study; but his apparent bewilderment at Jackson's audacity was almost as instructive as the sincere astonishment of the Englishman at the effect of his own words. The game of cross-purposes could not be more naturally played. Robert Smith had been requested by Madison to ascertain precisely what Jackson's instructions were; and both at the first and at a second interview he pressed this point, always trying to discover what Jackson had to offer, while the Englishman always declined to offer anything whatever. Two conversations satisfied the President that Jackson's hands were fast tied and that he could open no door of escape. Then Madison gently set the Secretary of State aside, and, as openly as the office of Chief Magistrate permitted, undertook to deal with the British minister.

October 9 the Secretary of State sent to the British Legation a formal letter, written, like all Robert Smith's important papers, by the President.

After recapitulating the negative results reached in the two interviews. Jackson was asked whether he had been rightly understood; and the letter ended by saying that, 'to avoid the misconceptions incident to oral proceeding, I have also the honor to intimate that it is thought expedient that our further discussions on the present occasion be in the written form.'

Jackson wrote a long letter, dated October 11, for the purpose, as he reported to Canning, of checking 'that spirit which can never lead to conciliation, by which America thinks herself entitled to make her will and her view of things the criterion by which they are to be generally approved or condemned.' Beginning with the assertion that 'there does not exist in the annals of diplomacy a precedent' for stopping verbal communication within so few days after the delivery of credentials, he rehearsed the story of Erskine's arrangement and justified his refusal of apology or explanation. In doing so, he allowed himself to insinuate, what Canning expressly asserted in his instructions, that Robert Smith had connived at Erskine's misconduct.

Two days after this letter was dispatched, Robert Smith sent a civil message that there had been no intention to stop personal intercourse; 'he should be most happy to see me whenever I would call upon him; we might converse upon indifferent subjects; but that his memory was so incorrect that it was on his account necessary that in making his reports to the President he should have some written document to assist him.' With this excuse for the Secretary's sudden withdrawal from the field, the British Minister contented himself until October 19, when he received an official letter, signed as usual by Robert Smith, but written with ability such as that good-natured but illiterate Secretary of State never imagined himself to possess.

The American note of October 19, far too long to quote or even to abridge, was perhaps the best and keenest paper Madison ever wrote. His faults of style and vagueness of thought almost wholly disappeared in the heat of controversy; his defense was cool, his attack keen, as though his sixty years weighed lightly the day when he first got his young antagonist at his mercy. He dealt Jackson a fatal blow at the outset, by reminding him that in July, 1808, only the previous year, Canning had put an end to oral communication after two interviews with Pinkney on the subjects under negotiation. He then made three points, well stated

and easily remembered: (1) That when a Government refuses to fulfill a pledge, it owes a formal and frank disclosure of its reasons. (2) That, in the actual situation, Mr. Erskine's successor was the proper channel for that disclosure. (3) That since Mr. Jackson disclaimed authority to make either explanations or proposals, the President could do no more than express his willingness to favor any honorable mode of settling the matters in dispute.

The letter of October 19 forced Jackson one step backward and drove him nearly to the wall. In a note dated October 23 he answered the American note. If Madison had doubted his own advantage, his doubts must have vanished in reading Jackson's second note, which shuffled and evaded the issues in a manner peculiar to disconcerted men; but the most convincing proof of Jackson's weakness appeared in the want of judgment he showed in exposing himself to attack at the moment when he was seeking safety. He committed the blunder of repeating the charge that Madison was responsible for Erskine's violation of instructions.

A few days after writing this evidence of his own uneasiness, the British minister received from the Department of State a third note, dated November 1, which left no doubt that the President meant to push his antagonist to extremes. The letter was short, and ended with a stern warning:

I abstain, sir, from making any particular animadversions on several irrelevant and improper allusions in your letter, not at all comporting with the professed disposition to adjust, in an amicable manner, the differences unhappily subsisting between the two countries; but it would be improper to conclude the few observations to which I purposely limit myself, without adverting to your repetition of a language implying a knowledge on the part of this Government that the instructions of your predecessor did not authorize the arrangement formed by him. After the explicit and peremptory asseveration that this Government had no such knowledge, and that with such a knowledge no such arrangement would have been entered into, the view which you have again presented of the subject makes it my duty to apprise you that such insinuations are inadmissible in the intercourse of a foreign minister with a Government that understands what it owes to itself.

This letter placed Jackson in a position which he could not defend, and from which he thought, perhaps with reason, that he could not without disgrace retreat. November 4 he replied, with more ability than he had

hitherto shown, to the letter of November 1; but he gave himself, for a mere point of temper, into Madison's hands.

You will find that in my correspondence with you I have carefully avoided drawing conclusions that did not necessarily follow from the premises advanced by me, and least of all should I think of uttering an insinuation where I was unable to substantiate a fact. To facts, such as I have become acquainted with them, I have scrupulously adhered; and in so doing I must continue, whenever the good faith of His Majesty's Government is called in question, to vindicate its honor and dignity in the manner that appears to me best calculated for that purpose.

When Jackson was sent to Copenhagen with a message whose general tenor resembled that which he brought to the United States, he was fortunate enough to be accompanied by twenty ships-of-the-line, forty frigates, and thirty thousand regular troops. Even with this support, if Court gossip could be believed, King George expressed to him surprise that he had escaped being kicked downstairs. At Washington he had no other force on his side than such as his footman or his groom could render and the destiny that King George predicted for him could not, by any diplomatic weapons, be longer escaped. November 8, Secretary Smith sent to the Legation one more note, which closed Jackson's diplomatic career:

Sir,— . . . Finding that in your reply of the fourth instant you have used a language which cannot be understood but as reiterating and even aggravating the same gross insinuation, it only remains, in order to preclude opportunities which are thus abused, to inform you that no further communications will be received from you. . . .

## CHAPTER SIXTY-FOUR

### *Executive Weakness*

**T**HE EFFECT of American conciliation upon Canning was immediate and simple; but the effect of American defiance upon Napoleon will be understood only by those who forget the fatigue of details in their interest for Napoleon's character. The Emperor's steps in 1809 are not easily followed. He was overburdened with labor; his motives and policy shifted as circumstances changed; and among second-rate interests he lost more habitually than ever the thread of his own labyrinth.

Traveling day and night from Spain in January, 1809, with the same haste and with something of the same motive as when four years afterward he posted back to Paris from his Russian disaster, Napoleon appeared unexpectedly at his capital January 24. The moment was one of crisis, but a crisis of his own making. He had suffered a political check in Spain, which he had but partially disguised by a useless campaign. The same spirit of universal dominion which grasped at Spain and required the conquest of England, roused resistance elsewhere almost as desperate as that of the Spaniards and English. Even the American Congress repealed its embargo and poured its commerce through so-called neutral ports into the lap of England, while at the same moment Austria, driven to desperation, prepared to fight for a fourth time. Napoleon had strong reasons for choosing that moment to force Austria wholly into his system. Germany stood at his control. Russia alone could have made the result doubtful; but the Czar was wholly French.

Toward Austria the Emperor directed all his attention, and rapidly drove her Government into an attitude of resistance the most spirited and the most desperate taken by any people of Europe except Spain. Although Austria never wearied of fighting Napoleon and rarely fought without credit, her effort to face, in 1809, a Power controlling the military resources of France, Italy, and Germany, with the moral support of Russia behind them, had an heroic quality higher than was shown at any time by any other government in Europe. April 9, the Austrian army crossed the Inn and began the war. April 13, Napoleon left Paris for the Danube, and during the next three months his hands were full. Austria fought with an energy which put Germany and Russia to shame.

Such a moment was ill-suited for inviting negotiation on American affairs; but Armstrong received instructions a few days after Napoleon left Paris, and with these instructions came a copy of the Non-Intercourse Act of March 1, which, while apparently forbidding intercourse with England and France, notified Napoleon that the United States would no longer obey his wishes or keep their industries from seeking a British market through indirect channels. Armstrong communicated this Act to the French Government in the terms of his instructions.

Armstrong informed Secretary Robert Smith that nothing need be expected from this step, unless it were perhaps his own summary expulsion from France as a result of offense given either by the Non-Intercourse Act or by the language of Armstrong's dispatches surreptitiously published. Bitterly as Armstrong detested Napoleon, he understood but little the mind and methods of that unusual character. Never in his career had the Emperor been busier than when Armstrong wrote this note to Champagny, but it caught his attention at once. He had fought one battle after another, and in five days had captured forty thousand men and a hundred pieces of cannon; he had entered Vienna May 10, and had taken his quarters at Schönbrunn, the favorite palace of the Austrian Emperor. There he was in a position of no little difficulty, in spite of his military successes, when his courier brought him dispatches from Paris containing news that the United States, March 1, had repealed the embargo, and that the British Government, April 26, had withdrawn the Orders in Council of November, 1807, and had substituted a mere blockade of Holland, France, and Italy. The effect of these two events was greatly increased by their coming together.

May 22, Napoleon fought the battle of Essling, in which he lost fifteen or twenty thousand men and suffered a serious repulse. Even this absorbing labor and the critical situation that followed did not long interrupt his attention to American business. May 26, Champagny made to the Emperor a report on American affairs.

Champagny urged the Emperor not to persist in punishing America, but to charge M. d'Hauterive, the acting Minister of Foreign Relations at Paris, with the duty of discussing with General Armstrong the details of an arrangement. Napoleon, impressed by Champagny's reasoning, fortified by the news that Erskine had settled the commercial disputes between England and America, sent to Champagny the draft of a new

decree, which declared that, inasmuch as the United States by their firm resistance to the arbitrary measures of England, had obtained the revocation of the British Orders of November, 1807, and were no longer obliged to pay imposts to the British Government, therefore the Milan Decree of December 17, 1807, should be withdrawn and neutral commerce should be replaced where it stood under the Berlin Decree of November 21, 1806.

This was the situation of the American dispute June 13, 1809, at Vienna, at the moment Canning's disavowal of Erskine became certain. The news of Canning's refusal to carry out the arrangement stopped Napoleon short in his career of concession; he left the American affair untouched until after the battle of Wagram, July 6, which was followed by the submission of Austria, July 12. The battle of Wagram placed him in a position to defy resistance. Immediately afterward he sent orders to Paris to stop Hauterive's negotiation. About the middle of July, Hauterive told the American minister 'that a change had taken place in the views of the Emperor; and in particular that a decree prepared by his orders as a substitute for those of November, 1806, and December, 1807, and which would have been a very material step toward accommodation, had been laid aside.'

In the heat and fury of the battle of Wagram this order must have been given, for it was known at Paris only one week afterward, and Armstrong reported the message, July 24, as a notice that unless America resisted the British doctrines of search and blockade she need expect no relaxation on the part of Napoleon; while this notice was supported by a menace that until the Emperor knew the President's decision he would take no step to make matters worse than they already were.

At the moment when he received what he supposed to be the promise that Napoleon would not make matters worse until he heard what the President had to say, Armstrong warned his Government that this assurance was intended as a menace rather than as a pledge:

What will satisfy him on even these points, particularly the former, is not distinctly explained. Our creed on this subject is one thing; that of the British Government, another; and the French doctrine of visit, a third. When we speak of illegal search, we mean that which claims the right of impressment also; but according to the imperial decrees and their commentators, the offense is equally great whatever may be the object of the

visit — whether it be to demand half your crew, or to ascertain only the port from which you sailed, the nature of your cargo, or the character of your flag. This is pushing things to a point whither we cannot follow them, and which, if I do not mistake, is selected because it is a point of that description.

Before the month of August, Napoleon reverted more energetically than ever to his old practice and policy. Armstrong imagined that he might obtain some advantage by visiting Holland. He amused himself during the idle August by a journey to Amsterdam, where he obtained, August 19, a private interview with King Louis.

King Louis told Armstrong that he was quarreling seriously with the Emperor on account of the American trade, but was bent on protecting it at all hazards. This declaration to a foreign minister accredited, not to himself but to his brother, showed Louis attempting with the aid of foreign nations a systematic opposition to Napoleon's will. He denounced his brother's system as 'the triumph of immorality over justice. . . . The system is bad — so bad that it cannot last; but in the meantime we are the sufferers.'

With such comfort as Armstrong could draw from the knowledge that Napoleon's brothers were as hostile as President Madison to the imperial system, he returned to Paris, September 6, to wait the further development of the Emperor's plans. He found on his arrival two notes from Champagny at Vienna. One of these dispatches expressed a civil hope, hardly felt by the Emperor, that Armstrong would not for the present carry out his project of returning to America. The other, dated August 22, was final; but to preclude a doubt, it closed by saying that the ports of Holland, of the Elbe and the Weser, of Italy and of Spain, would not be allowed to enjoy privileges of which French ports were deprived, and that whenever England should revoke her blockades and Orders in Council, France would revoke her retaliatory decrees.

Although this and the Bayonne Decree seemed to cover all ordinary objects of confiscation, the Emperor adopted the supplementary rule that American merchandise was English property in disguise. In the month of November, a cotton-spinner near Paris, the head of a very large establishment, petitioned for leave to import about six hundred bales of American cotton. His petition was returned to him with the indorsement: 'Rejected, as the cotton belongs to American commerce.'

The severity of the refusal surprised everyone the more because the alternative was to use Portuguese — that is to say, English — cotton, or to encourage the consumption of fabrics made wholly in England, of English materials. Having decided to seize all American merchandise that should arrive in France on private account, and having taken into his own hands the business of selling this property as well as of admitting other merchandise by license, Napoleon protected what became henceforward his personal interests by shutting the door to competition. Armstrong caught glimpses of this stratagem even before it had taken its finished shape.

I am privately informed [wrote Armstrong December 10] that General Loison has left Paris charged to take hold of all British property, or property suspected of being such in the ports of Bilbao, San Sebastian, Pasages, etc. The latter part of the rule is no doubt expressly intended to reach American property. With the General goes a mercantile man who will be known in the market as his friend and protégé, and who of course will be the exclusive purchaser of the merchandise which shall be seized and sold as British. This is a specimen at once of the violence and corruption which enter into the present system; and of a piece with this is the whole business of licenses, to which, I am sorry to add, our countrymen lend themselves with great facility.

Under such conditions commerce between the United States and France seemed impossible. One prohibition crowded upon another. First came the Berlin Decree of November 21, 1806, which turned away or confiscated every American vessel voluntarily entering a British port after that date. Second, followed the Milan Decree of November 11, 1807, which denationalized and converted into English property every American ship visited by a British cruiser or sent into a British port, or which had paid any tax to the British Government. Third, the Bayonne Decree of April 5, 1808, sequestered all American vessels arriving in France subsequent to the embargo, as being presumably British property. Fourth, the American Non-Intercourse Act of March 1, 1809, prohibited all commerce with France or her dependencies. Fifth, the British Orders in Council of April 26, 1809, established a blockade of the whole coast of France. Yet, with all this, and greatly to General Armstrong's displeasure, American ships in considerable numbers entered the ports of France and, what was still more incomprehensible, were even allowed to leave them.

Under these circumstances President Madison was to meet Congress: but bad as his situation was in foreign affairs, his real troubles lay not abroad but at home. France never counted with him as more than an instrument to act on England. Erskine and Canning, by their united efforts, had so mismanaged English affairs that Madison derived from their mismanagement all the strength he possessed.

Jackson lost no occasion to give the President popularity. Comprehending at last that his high tone had only helped his opponent to carry out a predetermined course, Jackson lost self-confidence without gaining tact. November 13, Jackson caused his secretary, Oakeley, to send in his name an official note to the Secretary of State, complaining of the rupture and rehearsing the charges, with the conclusion that 'in stating these facts, and in adhering to them, as his duty imperiously enjoined him to do, Mr. Jackson could not imagine that offense would be taken at it by the American Government, as most certainly none could be intended on his part.' He then addressed the same counter-statement as a circular to the various British consuls in the United States and caused it to be printed in the newspapers — thus making an appeal to the people against their own Government, not unlike the more famous appeal which the French Minister Genet made in 1793 against President Washington.

In extremely bad temper Jackson quitted the capital. His wife wrote to her friends in joy at the prospect of shortening her stay in a country which could offer her only the tribute of ignorant admiration; but even she showed a degree of bitterness in her pleasure, and her comments on American society had more value than many official documents in explaining the attitude of England toward the United States: 'Francis, being accustomed to treat with the civilized Courts and Governments of Europe, and not with savage Democrats, half of them sold to France, has not succeeded in his negotiation.'

Immediately after the rupture, Mrs. Jackson went to Baltimore, where she was received with enthusiasm by society; but Baltimore satisfied her little better than Washington: 'Between ourselves their cuisine is detestable; coarse table-linen, no claret, champagne and madeira indifferent.' Only as the relative refinement of New York and Boston was reached, with the flattery lavished upon the British minister by the Federalist society of the commercial cities, did Mrs. Jackson and her husband in some degree recover their composure and their sense of admitted superiority.

Incredible as the folly of a political party was apt to be, the folly of the Federalists in taking up Jackson's quarrel passed the limits of understanding. After waiting to receive their tone from England, the Federalist newspapers turned on their own path and raised the cry that Madison had deceived Erskine and had knowingly entered into an arrangement which England could not carry out. The same newspapers, which in April agreed with John Randolph that Canning had obtained through Erskine all he had ever asked or had a right to expect, averred in October that Erskine surrendered everything and got nothing in return. No political majority, still less a minority, could survive a somersault so violent as this; and the Federalists found that all their late recruits, and many friends hitherto stanch, deserted them in the autumn elections. In the general return of deserters to the ranks, the party would not be too strict in its punishments; and the President set the example by clemency to the worst offender, except John Randolph, of all the trusted lieutenants in the party service. He held out a hand to Monroe.

Madison's reasons for winning Monroe were strong. The more he had to do with Robert Smith, the more intolerable became the incubus of Smith's incompetence. He had been obliged to take the negotiations with Erskine and Jackson wholly on his own shoulders. The papers drafted by Smith were, as Madison declared, brought from the Department of State in a condition 'almost always so crude and inadequate that I was, in the more important cases, generally obliged to write them anew myself, under the disadvantage sometimes of retaining through delicacy some mixture of his draft.'

Complicated with this incessant annoyance was Gallatin's feud. The combination of the Smiths with Giles, Leib, and Duane's *Aurora* against Gallatin had its counterpart in the Clintonian faction, which made Madison its target; and whenever these two forces acted together, they made, with the Federalists, a majority of the Senate.

Madison's difficulties could be understood and his course foreseen. Very slow to move, he was certain at last to quarrel with the senatorial faction that annoyed him. He could not but protect Gallatin and dismiss Smith. At the end of the vista, however far the distance, stood the inevitable figure of Monroe. Scarcely another man in public life could fill precisely the gap. Madison decided to take the first step. He had reason to think that Monroe repented his course, at least to the extent of wishing

reconciliation. He authorized Jefferson to act as mediator; and the ex-President, who spared no effort for harmony, hastened to tell Monroe that the Government of Louisiana was still at his disposal. Monroe declined the office as being beneath his previous positions, but said that he would have accepted the first place in Madison's Cabinet and was sincere in his desire for the success of the Administration. When Jefferson reported the result of this interview, the President replied: 'The state of Colonel Monroe's mind is very nearly what I had supposed; his willingness to have taken a seat in the Cabinet is what I had not supposed.'

Monroe's adhesion having been thus attested, Madison made no immediate use of the recruit, but held him in reserve until events should make action necessary. Perhaps this delay was one of Madison's constitutional mistakes, and possibly a prompt removal of Robert Smith might have saved some of the worst disasters that befell the Government; but in truth Madison's embarrassments rose from causes that only time could cure and were inherent in American society itself. A less competent administrative system seldom drifted, by reason of its incompetence, into war with a superior enemy. No department of the Government was fit for its necessary work.

Of the State Department and its long series of mortifying disasters, enough had been said. In November, 1809, it stood helpless in the face of intolerable insults from all the European belligerents. Neither the diplomatic nor the consular system was better than a makeshift.

The Treasury, hitherto the only successful Executive Department, showed signs of impending collapse, not to be avoided without sacrifices and efforts which no one was willing to make. The accounts for the year ending September 30 showed that, while the receipts had amounted to \$9,300,000, the actual expenses had exceeded \$10,600,000. The deficit of \$1,300,000, as well as reimbursements of debt to the amount of \$6,730,000, had been made good from the balance in the Treasury. The new fiscal year began with a balance of only \$5,000,000; so that, without a considerable curtailment of expenses, a loan or increased taxation, or both, could not be avoided. Increased taxation was the terror of parties. Curtailment of expense could be effected only on the principle that, as the Government did nothing well, it might as well do nothing. Any intelligent expenditure, no matter how large or how small, would have returned a thousandfold interest to the country, whatever had been the

financial cost; but the waste of money on gunboats and useless cruisers, or upon an army so badly organized and commanded as to be a hindrance in war, was an expense that might perhaps be curtailed, though only by admitting political incapacity.

Naturally Gallatin threatened to resign. Intended merely as a make-shift, the Non-Intercourse Act of March 1, 1809, had already proved more mischievous to America than to the countries it purported to punish. While the three great commercial nations — France, England, and the United States — were forcing trade into strange channels or trying to dam its course, trade took care of itself in defiance of war and prohibitions. As one coast after another was closed or opened to commerce, countries whose names could hardly be found on the map — Papenburg, Kniphäusen, Tönningen — became famous as neutrals and their flags covered the sea, because England and France found them convenient for purposes of illegitimate trade. The United States had also their Papenburg, Amelia Island and the St. Mary's River, which divided Florida from Georgia, half-Spanish and half-American waters, became the scene of a trade that New York envied. While the shore was strewn with American cotton and other produce waiting shipment in foreign vessels, scores of British ships were discharging merchandise to be smuggled into the United States or were taking on board heavy freights of cotton or naval stores on American account.

A law, which in the eyes of a community was not respectable, was not respected. The community had no other defense against bad legislation; and in a democracy the spirit of personal freedom deserved cultivation to the full as much as that of respect for bad law. The Non-Intercourse Act was not only a bad law — the result of admitted legislative imbecility — but it had few or no defenders even among those who obeyed it.

Ingenuity could hardly have invented a system less advantageous for the Government and people who maintained it. The Government lost its revenue, the shipping lost much of its freight, the people paid double prices on imports and received half-prices for their produce; industry was checked, speculation and fraud were stimulated, while certain portions of the country were grievously wronged. Especially in the Southern States all articles produced for exchange were depressed to the lowest possible value, while all articles imported for consumption were raised to extravagant rates. In a crowded or in a highly organized society such

a system would probably have created a revolution; but America had not yet reached such a stage of growth or decay, and the worst effect of her legislation was to impoverish the Government which adopted and the class of planters who chiefly sustained it.

From the military and naval departments nothing had ever been expected; but their condition was worse than their own chiefs understood. The machinery of both broke down as Madison took control. The navy consisted of a few cruisers and a large force of gunboats. Neither were of immediate use; but a considerable proportion of both were in active service, if service could be called active which chiefly consisted in lying in harbor or fitting for harbor defense when no enemy was expected.

The army was something worse. At least the navy contained as good officers and seamen as the world could show, and no cruisers of their class were likely to be more efficient than the frigates commanded by Rodgers, Bainbridge, and Decatur, provided they could escape a more numerous enemy; but the army was worthless throughout, and its deficiency in equipment was a trifling evil compared with the effects of political influence on its organization.

When Madison and Gallatin, in December, 1808, looked to a declaration of war, their first anxiety concerned New Orleans and West Florida. December 2, 1808, Secretary Dearborn gave Wilkinson, then at Washington, orders to direct the new levies of troops toward New Orleans and to be ready to take command there in person as soon as practicable. In pursuance of these orders, two thousand raw soldiers were directed upon New Orleans from different quarters, and in the midst of war preparations, January 24, 1809, Wilkinson himself embarked from Baltimore. Stopping at Annapolis, Norfolk, and Charleston, he passed six weeks on the Atlantic coast. April 19 he re-entered New Orleans, the scene of his exploits three years before.

Wilkinson found at New Orleans, in his own words:

A body of two thousand undisciplined recruits, men and officers with a few exceptions sunk in indolence and dissipation; without subordination, discipline, or police, and nearly one-third of them sick; . . . without land or water transport for a single company; medical assistance for two thousand men dependent on two surgeons and two mates, one of the former confined to his bed; a majority of the corps without paymasters; the men deserting by squads; the military agent representing the quarter-

master's department without a cent in his chest, his bills protested, and he on the eve of shutting up his office; a great deficiency of camp equipage; not a haversack in store; the medicine and hospital stores scarcely sufficient for a private practitioner.

The General decided that, first of all, the troops must be removed from the city and sent into camp; but rains made encampment impossible until the river should fall. June 10 the main body of troops moved down the river to the new camp. More than five hundred sick were transported with the rest, suffering chiefly from chronic diarrhoea, bilious or intermittent fevers, and scurvy.

Secretary Eustis, who in March succeeded Dearborn at the War Department, being an army surgeon by profession, noticed, before Wilkinson's arrival at New Orleans, the excessive proportion of troops on the sick-list. Quickly taking alarm, he wrote, April 30, directing Wilkinson to disregard Dearborn's previous instructions, and, after leaving a garrison of old troops at New Orleans, to transport the rest up the river to the high ground in the rear of Fort Adams or Natchez. The orders were peremptory and pressing.

According to Wilkinson, the letter came after he and his troops were fixed in camp. He wrote to Eustis that, even had he received the orders of April 30 in time, he should still 'have not sought the position you recommended,' because the labor of ascending the river would have diseased nine-tenths of the men, the expense would have exceeded twelve thousand dollars, and the position of Fort Adams was ill-suited for the protection of New Orleans.

No sooner did the Secretary learn, through Wilkinson's letters, that he seriously meant to encamp the troops at Terre aux Boeufs, than official orders, admitting no discretion, were dispatched as early as June 22 from the Department, directing that the whole force should be instantly embarked for Natchez and Fort Adams.

The letter arrived July 19. Wilkinson dared not again disobey, although he might be right in thinking that the risks of removal were greater than those of remaining. Two hundred and fifty died on their way up the river, and altogether seven hundred and sixty-four, out of two thousand soldiers sent to New Orleans, died within their first year of service. The total loss by death and desertion was nine hundred and thirty-one.

Wilkinson himself was attacked by fever in passing New Orleans, September 19, and on proceeding to Natchez soon received a summons to Washington to answer for his conduct. Brigadier General Wade Hampton succeeded him in command of what troops were still alive at New Orleans. The misfortune was compensated only by the advantage of affording one more chance to relieve the army and the Government of a general who brought nothing but disaster.

With the four departments of Executive Government in this state of helplessness, President Madison met Congress, the least efficient body of all.

## CHAPTER SIXTY-FIVE

### *Legislative Impotence*

THE PRESIDENT'S ANNUAL MESSAGE, read November 20 before Congress, threw no light on the situation. If Madison's fame as a statesman rested on what he wrote as President, he would be thought not only among the weakest of Executives, but also among the dullest of men, whose liveliest sally of feeling exhausted itself in an epithet and whose keenest sympathy centered in the tobacco crop.

Probably the colorless character of the Message was intended to disarm criticism and to prevent Randolph and the Federalists from rousing again the passions of 1808; but sooner or later some policy must be adopted, and, although the Message suggested no opinion as to the proper course, it warned Congress that the crisis was at hand.

Congress showed more than usual unwillingness to face its difficulties. The episodes of Erskine and Jackson supplied excuse for long and purposeless debates. In the Senate, December 5, Giles reported from a special committee the draft of a resolution denouncing Jackson's conduct as indecorous, insolent, affronting, insidious, false, outrageous, and premeditated — epithets which seemed to make superfluous the approval of Madison's course or the pledge of support with which the resolution ended. Giles reviewed the conduct of Jackson and Canning, entreating the Senate to banish irritation and to restore harmony and mutual goodwill, 'the most fervent prayer of one who, in the present delicate, interesting crisis of the nation, feels a devotion for his country beyond everything else on this side of heaven.' The experience of many years warranted Giles's hearers in suspecting that, when he professed a wish for harmony, the hope of harmony must be desperate, for his genius lay in quite another direction; and when he laid aside partisanship, his party had reason to look for some motive still narrower.

January 3, 1810, the President recommended by Message the enlistment for a short period of a volunteer force of twenty thousand men and a reorganization of the militia; adding that it would rest with Congress also 'to determine how far further provision may be expedient for putting into actual service, if necessary, any part of the naval armament not now employed.' No one knew what this language meant. Crawford of

Georgia, with his usual bluntness, said: 'This Message, in point of obscurity, comes nearer my ideas of a delphic oracle than any state paper which has come under my inspection. It is so cautiously expressed that every man puts what construction on it he pleases.' Giles pleased to put upon it a warlike construction. January 10, he reported a bill for fitting out the frigates; January 13, he supported this bill in a speech which surprised Federalists and Republicans alike, if they could be still surprised at the varieties of Giles's political philosophy.

The visionary theory of energy [said he] was the fatal error of the Federal Party, and that error deprived it of the power of the nation. The Government being thus placed in the hands of the Republicans, while heated by the zeal of opposition to the Federal doctrines and flushed with their recent triumph, it was natural for them, with the best intentions, to run into the opposite extreme; to go too far in the relaxations of the powers of the Government, and to indulge themselves in the delightful visions of extending the range of individual liberty.

Energy was a fatal mistake in the Federalists; relaxation was an equally fatal mistake in the Republicans — and the remedy was a show of energy where energy did not exist. Giles won no confidence by thus trimming between party principles; but when Samuel Smith argued for Giles's bill on grounds of economy, friends of the Administration felt little doubt of the motives that guided both Senators. Had they declared for war, or for peace; had they proposed to build more frigates or ships-of-the-line, or to lay up those in active service — had they committed themselves to a decided policy of any kind, their motives would have offered some explanation consistent with a public interest; but they proposed merely to fit out the frigates while giving them nothing to do, and the Republican Party, as a whole, drew the inference that they wished to waste the public money, either for the personal motive of driving Madison and Gallatin from office or for the public advantage of aiding the Federalists to weaken the Treasury and paralyze the nation.

Crawford replied to Giles with some asperity; but, although Crawford was known to represent the Treasury, so completely had the Senate fallen under the control of the various cabals represented by Vice-President Clinton, Giles, Smith, and Michael Leib of Pennsylvania, with their Federalist associates, that Crawford found himself almost alone. Twenty-five Senators supported the bill; only six voted against it.

Giles impressed the least agreeable qualities of his peculiar character on this Senate — a body of men easily impressed by such traits. By a vote of twenty-four to four, they passed the resolution in which Giles showed energy in throwing epithets at the British Government, as they passed the bill for employing frigates to pretend energy that was not in their intentions.

If the resolution was correct in affirming as it did that the United States had suffered ‘outrageous and premeditated insults’ from Jackson, Congress could not improve the situation by affirming the insult without showing even the wish to resent it by means that would prevent its repetition; but the majority saw the matter in another light, and when the Federalists resorted to technical delays, the Republicans, after a session of nineteen hours, passed the resolution by a vote of seventy-two to forty-one.

The resolution marked the highest energy reached by the Eleventh Congress. Giles’s bill for fitting out the frigates was allowed to slumber in committee; and a bill for taking forty thousand volunteers for one year into Government service never came to a vote in the Senate.

No course would have pleased Congress so much as to do nothing at all; but this wish could not be fully gratified. The Non-Intercourse Act of March 1, 1809, was to expire by limitation with the actual session. As early as December 1, the House referred the matter to a committee with Macon for its head. Macon probably went to the Treasury for instructions. A plan drawn by Gallatin, and accepted without opposition by the Cabinet, was reported December 19 to the House in the form of a bill which had less the character of a Non-Intercourse than of a Navigation Act; for while it closed American ports to every British or French vessel, public and private, it admitted British and French merchandise when imported directly from their place of origin in vessels wholly American. The measure was as mild a protest as human skill could devise if compared with the outrages it retaliated, but it had the merit of striking at the British shipping interest which was chiefly to blame for the conduct of the British Government. Under the provisions of the bill, American shipping would gain a monopoly of American trade. Not a British vessel of any kind could enter an American port. Macon’s bill came before the House January 8, 1810, for discussion, which lasted three weeks. January 29, by a vote of seventy-three to fifty-two, the

House passed the bill. The Senate soon afterward took it up; and then, as was to be expected, the factions broke loose. February 21, at the motion of Senator Samuel Smith, by a vote of sixteen to eleven the Senate struck everything from the bill except the enacting clause and the exclusion of belligerent war-vessels from United States' harbors.

Upon feelings irritable and at a moment when schism was imminent, the action of Samuel Smith and Michael Leib with six or eight more Republican Senators, in emasculating Macon's bill, left small chance of reconciliation. Giles, having declared himself in favor of energy, did not vote at all. One speaker alone broke the monotony of the discussion by an address that marked the beginning of an epoch.

Henry Clay had been barely two weeks a Senator, when, February 22, he rose to move that the bill as amended by Samuel Smith be recommitted; and this motion he supported by a war speech of no great length, but full of Western patriotism.

The conquest of Canada is in your power [he said]. I trust I shall not be deemed presumptuous when I state that I verily believe that the militia of Kentucky are alone competent to place Montreal and Upper Canada at your feet. . . . The withered arm and wrinkled brow of the illustrious founders of our freedom are melancholy indications that they will shortly be removed from us. Their deeds of glory and renown will then be felt only through the cold medium of the historic page; we shall want the presence and living example of a new race of heroes to supply their places, and to animate us to preserve inviolate what they achieved. . . . I call upon the members of this House to maintain its character for vigor. I beseech them not to forfeit the esteem of the country. Will you set the base example to the other House of an ignominious surrender of our rights after they have been reproached for imbecility and you extolled for your energy! But, sir, if we could be so forgetful of ourselves, I trust we shall spare you [Vice-President George Clinton] the disgrace of signing, with those hands so instrumental in the Revolution, a bill abandoning some of the most precious rights which it then secured.

Other members both of the House and of the Senate had made war speeches, and in Clay's harangue no idea could be called original; yet, apart from the energy and courage which showed a new and needed habit of command, these sentences of Clay's maiden speech marked the appearance of a school which was for fifty years to express the national ideals of statesmanship, drawing elevation of character from confidence

in itself, and from devotion to ideas of nationality and union, which redeemed every mistake committed in their names. In Clay's speech almost for the first time the two rhetorical marks of his generation made their appearance, and during the next half-century the Union and the Fathers were rarely omitted from any popular harangue.

In 1810, at least along the Atlantic coast, such appeals had little popular success. Least of all had they weight in the Senate, which listened unmoved to Clay's oratory and replied to it immediately on the same day by passing the 'ignominious surrender' of national rights by a vote of twenty-six to seven.

Macon's bill came back to the House as a law for the exclusion of British and French war-vessels from American harbors. The House represented the treatment, and after another long debate, March 5, refused to concur in the Senate's amendments. By a vote of sixty-seven to forty-seven the bill was sent back to the Senate in its original form. A long wrangle ensued; a committee of conference failed to agree; and March 16 the Senate was obliged to decide whether it would yield to the House or allow the bill to fail.

The Senate put an end to Macon's bill. The House, after much hesitation, March 31, put an end to Smith's bill. After five months of discussion, Congress found itself, April 1, where it had been in the previous November.

Rather than resume friendly relations with both belligerents without even expressing a wish for the recovery of national self-respect, the House made one more effort. April 7, Macon reported a new bill, which was naturally nicknamed Macon's Bill No. 2. This measure also seems to have had the assent of the Cabinet, but Macon himself neither framed nor favored it.

Macon's Bill No. 2 was the last of the annual legislative measures taken by Congress to counteract by commercial interest the encroachments of France and Great Britain. The first was the partial Non-Intercourse Act of April, 1806; the second was the Embargo Act with its supplements, dating from December 22, 1807; the third was the total Non-Intercourse Act of March 1, 1809; and the fourth was Macon's Bill No. 2. Each year produced a new experiment; but the difference could be easily remembered, for after the climax of the embargo each successive annual enactment showed weakening faith in the policy, until Macon's

Bill No. 2 marked the last stage toward the admitted failure of commercial restrictions as a substitute for war. Abandoning the pretense of direct resistance to France and England, this measure repealed the Non-Intercourse Act of March 1, 1809, leaving commercial relations with all the world as free as ever before, but authorizing the President, 'in case either Great Britain or France shall, before the third day of March next, so revoke or modify her edicts as that they shall cease to violate the neutral commerce of the United States,' to prohibit intercourse with the nation which had not revoked its edicts.

The House amended the bill only by adding fifty per cent to the existing duties on all products of Great Britain and France. April 19, the bill passed the House by a vote of sixty-one to forty. The Senate referred it to a select committee with Samuel Smith at its head — a committee made for Smith to control. As before, he reported the measure with its only effective provision — the additional duty — struck out, and with the addition of a convoy clause. The Senate, by nineteen votes to eight, sustained Smith.

Irritated though the House was by the Senate's hostility to every measure which had support from the Treasury or was calculated to give it support, the members were for the most part anxious only to see the session ended. No one cared greatly for Macon's Bill No. 2 in any shape. The House refused to accept the Senate's amendments, and found itself, May 1, within a few hours of adjournment, and within the same time of seeing the Non-Intercourse Act expire without having made provision for the commercial relations that were to follow. At five o'clock in the afternoon, committees of conference were appointed, and at the evening session, Samuel Smith, having abandoned his convoy clause, the House gave up its extra duties and the bill came to its passage. Sixty-four Republicans recorded themselves in its favor and made the bill a law.

Randolph, who had been ill at home during the winter of 1809–1810, appeared in public affairs only after the debates were mostly ended. March 22, he moved a resolution that the military and naval establishments ought to be reduced. He wished to bring Madison's Administration back to the point where Jefferson's Administration eight years before had begun; and in truth the country could choose only between the practices of 1801 and those of 1798. Randolph, who shunned no as-

sumption of fact which suited his object, asked the House whether any one ‘seriously thought of war, or believed it a relation in which we could be placed’:

With respect to war we have — thank God! — in the Atlantic a fosse wide and deep enough to keep off any immediate danger to our territory. The belligerents of Europe know as well as we feel that war is out of the question. No, sir! if our preparation was for battle, the State physicians have mistaken the state of the patient. We have been embargoed and non-intercoursed almost into a consumption, and this is not the time for battle.

Randolph easily proved the need of retrenchment. His statements were not to be denied. President Washington, with a gross income of fifty-eight million dollars in eight years, spent eleven millions and a quarter on the army and navy. John Adams in four years spent eighteen millions, and was supposed to have been driven from office for extravagance. President Jefferson in his first four years cut down these expenses to eight million, six hundred thousand dollars; in his second term he raised them again to sixteen millions, or nearly to the point reached by John Adams at a time of actual hostilities with France — although President Jefferson relied not on armaments, but on peaceable coercion, which cost very large sums besides. At last the country had reached a point where, after refusing either to fight its enemies or resent its injuries, it had begun to run in debt for armaments it would not use. This waste needed to be stopped.

Three-fourths of the Republican Party and all the Federalists were of the same mind with Randolph — that an army led by Wilkinson and a navy of gunboats, when the country refused to fight under any provocation, were not worth maintaining; and when Eppes of Virginia, April 14, brought forward the budget for the coming year, he started by assuming that the military and naval expenditure might be reduced three million dollars, which would still leave a deficiency of two millions and a half, and would require an increase of customs-duties. If three millions and a half could be saved, members wanted to know why the whole military and naval expenditure, which had required only six millions in 1809, might not be cut off.

Macon, who supported Randolph with the ardor of 1798, urged nothing less than this sweeping reform.

If the army were disbanded and the navy sold [he argued], we should not perhaps want half a million — not a million and a half, on the outside. That might be obtained by loans payable at short date. . . . You must get clear of the navy yards; if you do not put them down, unquestionably they will put you down. How is it with the army? Has it been employed to more advantage? Its situation is too melancholy to be spoken of; and if anything could disgust the people of the territory we acquired some years since, it must be the management of that army, for however much they hear of our good government, after such a specimen they must have a despicable opinion of it indeed.

Nelson of Maryland told the House that they were behaving like schoolboys.

It is a perfect child's game [said he]. At one session we pass a law for raising an army, and go to expense; in another year, instead of raising money to pay the expense by the means in our power, we are to disband the army we have been at so much pains to raise.

The warning had no perceptible weight with the House, where the peace party were in a majority and the war party were in a passion, not with the foreign enemy, but with their neighbors and friends. Richard M. Johnson almost avowed that he should vote for reducing army and navy in order to punish the men who had made them useless.

With the advocates of war in a temper so unmanageable, and the advocates of peace in a majority so decisive, the House showed unanimity by passing in committee, without a dissenting voice, a resolution that the military and naval establishments ought to be reduced. The next day, by a vote of sixty to thirty-one, the resolution was formally adopted by the House.

Randolph promptly reported a bill for reducing the navy. All the gunboats, all but three of the frigates, and all other armed vessels — three only excepted — were to be sold, their officers and crews discharged; the navy yards, except at Boston, New York, and Norfolk, to be disused, and the marine corps reduced to two companies. A few days later, April 24, Smilie of Pennsylvania reported a bill for a similar reduction of the military establishment to three regiments. These measures seemed to carry out the express will and orders of the House; but no sooner did the House go into committee than the members astonished themselves by striking out each section in succession. Gunboats, frigates, navy yards, and marines, each managed in turn to obtain a majority against reduction.

Then Randolph rose — not in wrath, for he spoke with unusual calm, but with a force which warranted the sway he so often exercised over men whose minds were habitually in doubt. The inconsistency of Jefferson's principles and practice was a target which could be hit by the most inexperienced marksman, but Randolph struck it with something more solid than an epigram when he discussed its expense.

Against the Administration of Mr. Adams [he said], I, in common with many others, did and do yet entertain a sentiment of hostility, and have repeatedly cried out against it for extravagance and for profusion and for waste — wanton waste — of the public resources. I find, however, upon consideration — whether from the nature of men, or from the nature of things, or from whatever other cause — that that Administration, grossly extravagant as I did then and still do believe it to have been, if tried by the criterion of the succeeding one, was a pattern of retrenchment and economy.

In order to prove this charge he attacked Robert Smith's administration of the navy, asserting that, while in 1800 each seaman cost about four hundred and seventy-two dollars a year, in 1808 each seaman cost nearly nine hundred dollars a year.

Only one member replied on behalf of the Government to these criticisms. Burwell Bassett of the naval committee ventured somewhat timidly to defend, not so much Robert Smith as Secretary Hamilton, who, he said, had reduced expenses at the navy yard about one-third. Bassett's testimony hardly met Randolph's charges, but the House sustained him on every point; and Boyd of New Jersey so far forgot the respect due to a former vote, in which the House had resolved by a majority of two to one that the army and navy ought to be reduced, as to say that never since the Government was formed had so preposterous a proposition been offered. The end of the session arrived before the discussion ceased.

The same inability to act, even where no apparent obstacle existed, was shown in regard to the United States Bank, whose charter, granted for twenty years by the First Congress in February, 1791, was to expire March 4, 1811. In the days of Federalist sway the Republicans had bitterly opposed the Bank and denied the constitutional power of Congress to grant the charter; but during the eight years of Jefferson's rule the Bank had continued without a question to do the financial work of

Government, and no other agency existed or could be readily created capable of taking the place of this machine, which, unlike any other in the Government, worked excellently well.

If its existence was to be continued, public interest required that the Act should be passed at this session, since the actual charter was to expire in ten months. If a new charter was to be refused, public interest required even more urgently that ample warning of so radical a change should be given, that the Treasury might not be suddenly crippled or general bankruptcy be risked without notice.

No complaint of any kind was at that time made against the Bank; no charge was brought against it of interference in politics, of corrupt influence, or of mismanagement. Gallatin was known to favor it; the President was not hostile, nor was any influence in the Government opposed; the Federalists who had created were bound to support it, and except for the principles of some Southern Republicans who regarded functions of Government as germs of despotism, every political faction in the country seemed consenting to the charter. January 29 the subject was referred to a special committee. The committee reported a resolution, and in due course John Taylor of South Carolina brought in a bill, the result of negotiations between the Treasury and the Bank, granting a new charter. No serious opposition showed itself. April 21 the House, by a majority of seventy-five to thirty-five, voted to accept the price fixed for the charter; but the session closed without further action.

When Congress adjourned, May 2, 1810, the result attained during five months passed in continuous labor amounted to little more than the constitutional necessities of Government — the appropriation bills; a loan for five million dollars; an Act for taking a census of persons; an Act appropriating sixty thousand dollars toward making the Cumberland Road; an appropriation of five thousand dollars for experiments on Fulton's torpedoes; in regard to foreign affairs, Giles's resolution blaming the conduct of the British minister, and Macon's Act, which condoned that conduct. The old Non-Intercourse Act of March 1, 1809, expired by limitation with the expiring Congress May 1, 1810.

We adjourned last night [wrote Randolph to Nicholson the next day], a little after twelve, having terminated a session of more than five months by authorizing a loan of as many millions, and — all is told. The incapacity of Government has long ceased to be a laughing matter. The Cabinet is all to pieces, and the two Houses have tumbled about their own ears.

## CHAPTER SIXTY-SIX

### *Cadore's Letter of August 5*

**I**F THE NON-INTERCOURSE ACT of March 1, 1809, irritated Napoleon, Macon's Act of May 1, 1810, might be expected to work in a manner still more active.

The story has shown that Napoleon, toward the end of the year 1809, felt many difficulties in giving new shape to his American policy after it had been ruined by the Non-Intercourse Act. His fixed idea required the seizure of every American ship in Europe beyond the borders of France, as he had for years seized American ships in his own ports. In part this wish sprang from the Continental system, and was excused to some extent by the plea that American commerce could be carried on only under British protection; in part the seizure of American ships was a punishment for defying the Emperor's orders; and in part it was due to his necessities of finance.

Thiers, in later years having the advantage of studying Napoleon's papers, understood the nature of his genius. 'To admit false neutrals in order to confiscate them afterward greatly pleased his astute (*rusé*) mind,' wrote the French historian and statesman, 'little scrupulous in the choice of means, especially in regard to shameless smugglers who violated at once the laws of their own country and those of the country that consented to admit them.' This description could not properly be applied to Americans, since they violated neither their own law nor that of France by coming to Amsterdam, San Sebastian, and Naples; but Thiers explained that the Emperor considered all Americans as smugglers, and that he wrote to the Prussian Government: 'Let the American ships enter your ports! Seize them afterward. You shall deliver the cargoes to me, and I will take them in part payment of the Prussian war debt.'

The Emperor signed, March 23, a decree known as the Decree of Rambouillet. This document showed the tenacity with which Napoleon, while seeming to yield to opposition, never failed to return to a purpose and effect its object. In order to carry out the Decree of Rambouillet he was forced into a *coup d'état*. He had not only to expel his brother

Louis from Holland and annex Holland to France, but also to drive his ablest Minister, Fouché, from the Cabinet.

Of the steps by which he accomplished his objects, something can be seen in his letters; of his motives, no doubt ever existed. Armstrong described them in strong language; but his language was that of a party interested. Thiers recounted them as a panegyric, and his language was even clearer than Armstrong's. He made nothing of the Emperor's pretense that his seizures were in reprisal for the Non-Intercourse Act. 'This was an official reason (*une raison d'apparat*)," said Thiers. 'He was in search of a specious pretext for seizing, in Holland, in France, in Italy, the mass of American ships which smuggled for the English and which were within his reach. He had actually sequestered a considerable number; and in their rich cargoes were to be found the means of furnishing his Treasury with resources nearly equal to those procured for him by the contributions of war imposed on the vanquished.'

The system of treating the United States as an enemy conquered in war rested on a foundation of truth; and as usual with conquered countries it met with most resistance, not from them but from bystanders. The Emperor of Russia, the Kings of Prussia, Sweden, and Denmark, the Hanse Towns, and King Louis of Holland were the chief obstacles to the success of the scheme to which they were required to be parties. King Louis of Holland refused to seize the American ships at Amsterdam, and forced his brother to the conclusion that, if nothing else could be done, Holland must be annexed to France.

For many reasons the annexation of Holland met with little favor in the Emperor's family and among his Council. Chief among its opponents was Fouché, who sacrificed himself in his efforts to prevent it. Driven to the conviction that nothing but peace with England could put an end to the Emperor's experiments on the welfare of France, Fouché resolved that peace should be made and invented a scheme for bringing it about. As Minister of Police he controlled secret means of intrigue, and probably he acted without concert with his colleagues; but the motives which guided him were common to almost all Napoleon's Cabinet.

Fouché, without the Emperor's knowledge, sent to London at the same time, about January 18, a secret agent named Fagan, to suggest that if Great Britain would abandon Spain, France would join in creating from the Spanish-American colonies a monarchy for Ferdinand VII, and from

Louisiana, at the expense of the United States, a kingdom for the French Bourbons.

This last idea bore on its face the marks of its origin. Fouché had listened to Aaron Burr, who after years of effort reached Paris, and presented to the Government a memoir showing that, with ten thousand regular troops and a combined attack from Canada and Louisiana, the destruction of the United States was certain.

Labouchère and Fagan went to England, and early in February had interviews with the British Ministers, who quickly dismissed them. The only impression made on the British Government by the double mission was one of perplexity at the object of an errand which appeared too absurd for discussion. The two agents returned to the Continent and reported the result of their journey. Meanwhile, Napoleon ordered Marshal Oudinot to march his army corps into Holland, a step which brought King Louis to immediate submission. ‘I promise you,’ wrote Louis, ‘to follow faithfully all the engagements you shall impose upon me. I give you my word of honor to follow them faithfully and loyally from the moment I shall have undertaken them.’ Louis came to Paris, and March 16 signed the treaty which by a secret stipulation provided for the seizure of American property.

Matters stood thus April 1, 1810, when the ceremonies of the imperial marriage interrupted for the moment further action. Napoleon had carried his point in regard to the punishment of America; but the difficulties he had already met were trifling compared with the difficulties to come.

Napoleon set out, April 27, with his new Empress on a wedding journey to Holland. In the course of his journey an accident revealed to him the secret correspondence which Fouché had conducted through Fagan with the British Government. Since the fall of Talleyrand, Fouché alone had considered himself so necessary to the imperial service as to affect independence, and the opportunity to discipline him could not be lost. June 3 he was disgraced and exiled to Italy. General Savary, Duc de Rovigo, succeeded him as Minister of Police.

The fate of King Louis was almost equally swift. When he returned to Holland after promising entire submission and signing the treaty of March 16, he could not endure the disgrace of carrying his pledges into effect. He tried to evade the surrender of the American ships and to re-

sist the military occupation of his kingdom. He showed public sympathy with the Emperor's opponents and with riotous popular proceedings at Amsterdam. Once more the Emperor was obliged to treat him as an enemy. June 24, the French troops were ordered to occupy Amsterdam, and July 3, Louis, abdicating his throne, took refuge in Germany. July 8, Napoleon signed a decree annexing Holland to France.

The United States at the same time received their punishment for opposing the imperial will. The Decree of Rambouillet, though signed March 23, was published only May 14, when the sequestrations previously made in Holland, Spain, Italy, and France became in a manner legalized. The value of the seizures in Holland and Spain was estimated by the Emperor in arranging his budget for the current year as follows: American cargoes previously seized at Antwerp, two million dollars; cargoes surrendered by Holland, two million four hundred thousand dollars; seizures in Spain, one million six hundred thousand dollars.

In this estimate of six million dollars the seizures in France, Denmark, Hamburg, Italy, and Naples were not included. The American consul at Paris reported to Armstrong that between April, 1809, and April, 1810, fifty-one American ships had been seized in the ports of France, forty-four in the ports of Spain, twenty-eight in those of Naples, and eleven in those of Holland. Assuming an average value of thirty thousand dollars, these one hundred and thirty-four American ships represented values exceeding four millions. Adding to Napoleon's estimate of six millions the consul's reported seizure of seventy-nine ships in France and Naples, a sum of nearly eight million four hundred thousand dollars was attained. In this estimate the seizures at Hamburg, in Denmark, and in the Baltic were not included. On the whole, the loss occasioned to Americans could not be estimated at less than ten millions, even after allowing English property disguised as American.

Profitable as this sweeping confiscation was, and thoroughly as Napoleon overbore opposition in his family and Cabinet, such measures in no way promised to retrieve the disaster his system suffered from the defection of America. While England protected American ships in their attempts to counteract his system in Spain, Holland, and in the Baltic, the Emperor regarded American trade as identical with British, and confiscated it accordingly; but by doing so he exhausted his means of punishment, and since he could not march armies to New York and

Baltimore as he marched them to Amsterdam and Hamburg, he could only return on his steps and effect by diplomacy what he could not effect by force. The Act of March 1, 1809, was a thorn in his side; but the news which arrived toward the end of June, 1810, that Congress had repealed even that slight obstacle to trade with England made some corrective action inevitable. The Act of May 1, 1810, struck a blow at the Emperor such as no Power in Europe dared aim, for it threw open to British trade a market in the United States which would alone compensate England for the loss of her trade with France and Holland. Macon's Act made the Milan Decree useless.

An American who brought dispatches from Pinkney in London brought also a printed copy of the Act of May 1, 1810. In the want of official advices, probably July 9, Armstrong communicated the Act of May 1 to the Duc de Cadore in the unofficial form of a newspaper. Cadore replied that, being so entirely unofficial, it could not be made the groundwork of any Government proceeding; but he took it to the Emperor, and Armstrong waited for some striking exhibition of displeasure.

'For three weeks Napoleon made no decision on the subject of the American Act; then, after settling the annexation of Holland, he wrote to Cadore July 31:

After having much reflected on the affairs of America, I have thought that to repeal my Decrees of Berlin and Milan would have no effect; that it would be better for you to make a note to Mr. Armstrong by which you should let him know that you have put under my eyes the details contained in the American newspaper; that I should have liked to have a more official communication, but that time passes, and that — since he assures me we may regard this as official — he can consider that my Decrees of Berlin and Milan will have no effect, dating from November 1; and that he is to consider them as withdrawn in consequence of such Act of the American Congress, on condition that (*à condition que*) if the British Council does not withdraw its Orders of 1807, the United States Congress shall fulfill the engagement it has taken to re-establish its prohibitions on British commerce.

The Emperor himself, August 2, dictated the letter — the most important he ever sent to the United States Government. During the next three days he made numerous changes in the draft; but at last it was signed and sent to the American Legation. Upon that paper, long famous as Cadore's letter of August 5, 1810, turned the course of subsequent

events; but apart from its practical consequences the student of history, whether interested in the character of Napoleon or of Madison, or in the legal aspects of war and peace, or in the practice of governments and the capacity of different peoples for self-government, could find few examples or illustrations better suited to his purpose than the letter itself, the policy it revealed, and the manner in which it was received by the United States and Great Britain.

Cadore began by saying that he had communicated to the Emperor the newspaper containing the Act of Congress of May 1:

The Emperor applauded the general embargo laid by the United States on all their vessels, because that measure, if it has been prejudicial to France, had in it at least nothing offensive to her honor. . . . The Act of March 1 [1809] raised the embargo and substituted for it a measure the most injurious to the interests of France. . . . The sequestration of all the American vessels in France has been the necessary consequence of the measure taken by Congress.

This preamble led to the conclusion that the Act of May 1, 1810, was a retreat from the Act of March 1, 1809, and warranted France in accepting the offer extended by both laws to the nation which should first 'cease to violate the neutral commerce of the United States.'

In this new state of things [concluded Cadore] I am authorized to declare to you, sir, that the Decrees of Berlin and Milan are revoked, and that after November 1 they will cease to have effect — it being understood (*bien entendu*) that in consequence of this declaration the English are to revoke their Orders in Council, and renounce the new principles of blockade which they have wished to establish; or that the United States, conformably to the Act you have just communicated, cause their rights to be respected by the English.

No phraseology could have more embarrassed President Madison, while, as Napoleon had remarked to Montalivet a few days before, 'it is evident that we commit ourselves to nothing.' So closely was the imperial promise imitated from that given by Erskine that the President could hardly reject it, although no American merchant would have risked so much as a cargo of salt-fish on a pledge of such a kind from such a man. As though to warn the Americans, Napoleon added personal assurances that gave to the whole proceeding an unpleasant air of burlesque:

It is with the most particular satisfaction, sir, that I make known to you this determination of the Emperor. His Majesty loves the Americans. Their prosperity and their commerce are within the scope of his policy. The independence of America is one of the principal titles of glory to France. Since that epoch the Emperor is pleased in aggrandizing the United States; and under all circumstances that which can contribute to the independence, to the prosperity, and to the liberty of the Americans the Emperor will consider as conformable with the interests of his Empire.

One might doubt whether Napoleon or Canning were the more deficient in good taste; but Americans, whose nerves were irritated to fury by the irony of Canning, found these expressions of Napoleon's love rather absurd than insulting. So little had the mere fact of violence to do with the temper of politics, compared with the sentiments which surrounded it, that Napoleon could seize without notice ten million dollars' worth of American property, imprisoning the American crews of two or three hundred vessels in his dungeons, while at the same instant he told the Americans that he loved them, that their commerce was within the scope of his policy, and as a climax avowed a scheme to mislead the United States Government, hardly troubling himself to use forms likely to conceal his object; yet the vast majority of Americans never greatly resented acts which seemed to them like the exploits of an Italian brigand on the stage.

This mixture of feline qualities — energy, astuteness, secrecy, and rapidity — combined with ignorance of other nations than his own, was shown in the act with which he concluded his arrangements of August 5, 1810. About a fortnight before, by a secret decree dated July 22, 1810, he had ordered the proceeds of the American cargoes seized at Antwerp and in Dutch and Spanish ports, valued by him at six million dollars, to be turned into the Treasury as a part of his customs revenue devoted to the service of 1809-10. In French ports he held still some fifty ships in sequestration. Cadore's letter of August 5 mentioned these ships as sequestered, a phrase implying that they would be held subject to future negotiation and decision, liable to be returned to their owners; yet on the same day Napoleon signed another secret decree which condemned without hearing or judgment all the ships and cargoes declared to be still in sequestration by the letter that could hardly have yet been sent from Cadore's office.

When Albert Gallatin, as minister at Paris some ten years afterward, happened to obtain a copy of the document, he expressed his anger at its secrecy in language such as he used in regard to no other transaction of his public life. ‘No one can suppose,’ he wrote, ‘that if it had been communicated or published at the same time, the United States would with respect to the promised revocation of the Berlin and Milan Decrees have taken that ground which ultimately led to the war with Great Britain. It is indeed unnecessary to comment on such a glaring act of combined injustice, bad faith, and meanness as the enacting and concealment of that decree exhibits.’ These epithets would not have disturbed Napoleon. Politics were to him a campaign, and if his opponents had not the sense to divine his movements and motives, the disgrace and disaster were none of his.

## CHAPTER SIXTY-SEVEN

### *The Marquess Wellesley*

WHILE NAPOLEON LABORED to reconstruct his system mutilated by American legislation, the Government of Great Britain sank lower and lower toward disappearance, while the star of Spencer Perceval shone alone with dull luster on the British horizon. When the Portland Ministry went to pieces in September, 1809, Perceval became of necessity master of the Empire. Canning had quarreled with him, and refused office except as Prime Minister. Castlereagh had been so lately disgraced that he could bring only weakness to the Government if he rejoined it. The Whigs, represented by Lord Grenville and Lord Grey, were excluded by the King's prejudices, by their own pledges to the Irish Catholics, and by the great preponderance of Tory opinion in the country. The Duke of Portland was dying; King George himself was on the verge of insanity, and everyone supposed that the Prince of Wales, if he became regent, would at once appoint a ministry from among his Whig friends. This stalemate, where every piece on the chessboard stood in the way of its neighbor, and none could move while the King and Spencer Perceval remained, seemed likely to end in the destruction of the British Empire.

Nothing remained but to carry on the Government by the peers, with Perceval as its only important representative in the Commons. The Lord Hawkesbury of 1802, who had become Lord Liverpool at his father's death, and was actually head of the Home Office, succeeded Castlereagh as head of the War Department. Spencer Perceval took the Duke of Portland's place as First Lord of the Treasury. These changes brought no new strength into the Cabinet; but Canning's place at the Foreign Office remained to be filled, and common consent fixed upon one person as alone competent to bring with him to the position a weight of character that could overbalance the losses the Cabinet had suffered.

This person, hitherto unmentioned, was Richard Colley Wesley, or Wellesley, born in Ireland in 1760, eldest son of the first Earl of Mornington, whose younger son, Arthur, was born in 1769. Another brother, Henry, born in 1773, rose to high rank in diplomacy under the later title of Lord Cowley. In 1809, these three brothers were all actively employed in the public service; but the foremost of the three was the eldest, the

Marquess Wellesley, whose reputation still overshadowed that of Arthur, then just called to the peerage September 4, 1809, as Viscount Wellington of Talavera, in reward of his recent battle with Marshal Victor.

An Irish family neither wealthy nor very distinguished, the Wellesleys owed their success to their abilities. The second Lord Mornington, Marquess Wellesley, sprang into fame as a favorite of William Pitt, who showed his power by pushing young men like Richard Wesley and George Canning into positions of immense responsibility. Perhaps the favor shown to the former may in part have had its source in some resemblance of character which caused Pitt to feel a reflection of himself, for Mornington was a scholar and an orator. His Latin verses were an ornament of Eton scholarship; his oratory was classic like his verses; and his manners suited the scholarship of his poetry and the Latinity of his orations. Lord Mountmorris, one of his antagonists in the Irish Parliament of 1783, ridiculed his rhetoric. The orator whose air of dignity Lord Mountmorris thought so studied was then twenty-three years old, and apparently never changed his manner. The aristocratic affectations, if they were affectations, of Lord Mornington were conspicuous; but no man could safely laugh at one of the Wellesleys. In 1797, Mr. Pitt suddenly sent this ornament of the peerage to India as Governor-General, and the world learned that since the time of Clive no surer or bolder hand had guided the Empire of England in the East.

At Canning's request in April, 1809, the Marquess was appointed to the important and difficult post of Ambassador Extraordinary to the Supreme Junta of Spain, then at Seville; while at the same time his brother Arthur was made General-in-Chief in the Peninsula. Lord Wellesley went to Spain with the understanding that he was soon to return and enter the Cabinet. In October he learned that Canning had broken up the Cabinet, and that while Canning himself on one side expected the Wellesleys' support, Perceval on the other was begging for it, and the Whigs were waiting with open arms to welcome their alliance. Canning's duel took place September 21, 1809. October 5, Spencer Perceval wrote to Wellesley at Seville, asking him to accept the Foreign Office; while at the same time Canning informed the King that Lord Wellesley would retire from office with himself.

In such a situation the most astute politician could not trust his own

judgment. No one could say whether Wellesley's strength would invigorate the Government, or whether Perceval's weakness would exhaust Wellesley as it had exhausted Canning. Canning and Wellesley held the same estimate of Perceval. Canning had succeeded only in ruining himself by struggling to rid the Government of that incubus, as he regarded it, and Wellesley had no better right to expect success. On the other hand, if the Marquess should join the Government, he might assist his brother Arthur, who needed support at home. Probably this idea turned the scale; at all events, Wellesley accepted Perceval's offer, and gave his Administration a chance of life.

The new Secretary was expected to devise some system of trade with the Spanish-American colonies which should meet approval from the Junta, jealous with good reason of any foreign interference with Mexico and Peru; but above all he was required to take in hand the quarrel with the United States, and if possible to retrieve the mistakes of Canning. He had been only a few weeks in office when news arrived that President Madison refused to hold further relations with F. J. Jackson, the British minister, and that Madison and Jackson were only agreed in each requiring the punishment of the other. Pinkney soon appeared at the Foreign Office with a request for Jackson's recall.

Lord Wellesley was in character to the full as arbitrary as George Canning. Seven years of imperial power in India had trained him in habits of autocratic authority; but he was a man of breeding, courteous, dignified, and considerate of others' dignity. In India he had shown what Canning thought himself to possess — the hand of iron in the velvet glove. Without a tinge of Canning's besetting vice, the passion to be clever, Wellesley never fell into the fault of putting sarcasms or epigrams into his state papers. So little offensive was he in manner that, although he brought about a war between England and the United States, no American held him as an enemy or retained so much ill-feeling toward him as to make even his name familiar to American ears.

When Pinkney came to explain the President's action and wishes in regard to Jackson, Wellesley, in a manner that seemed to the American minister both frank and friendly, showed only the wish to conciliate. In a short time Pinkney became so intimate with the new Foreign Secretary as to excite comment. Nothing could be more encouraging than his reports to the President of the change in disposition which had come over



led, two years afterward, to the only communication which could logically result — a declaration of war — Wellesley declared in Parliament ‘that a more unjust attack was never made upon the peace of any nation than that of the American Government upon England’; and that ‘the American Government had been long infected with a deadly hatred toward this country, and (if he might be allowed an unusual application of a word) with a deadly affection toward France.’

That the American Government and people were infected with a deadly hatred toward England, if not already true, was becoming true with a rapidity which warranted Wellesley in taking it for fact, if he could do nothing to prevent it; but he should at least have explained the reasons why his colleagues, who in his opinion showed culpable neglect, failed to expect war or to prepare for it. In truth, his colleagues had as little reason to expect war with America as he had to charge the American Government with ‘deadly affection’ toward France. They would do nothing to conciliate the United States because they had what seemed the best ground for thinking that the United States were already conciliated, and that the difficulties between America and France were such as to prevent America from quarreling with England. Wellesley’s note was written March 14; Louis of Holland, March 16, signed the treaty obliging him to seize the American ships in his ports; Napoleon signed, March 23, the Rambouillet Decree. In every country within French control Napoleon was waging avowed war against the United States in retaliation for the Non-Intercourse Act; while in America, March 31, Congress abandoned the idea of even a Navigation Act against England, and May 1 restored relations with her, without asking an equivalent or expressing unfriendly feeling. Under such circumstances, Ministers more intelligent than Spencer Perceval were warranted in thinking that the part of wisdom was to leave American affairs alone.

The point was all-important in the story of the war. Governments rarely succeed in forethought, and their favorite rule is to do nothing where nothing need be done. Had the British Government expected war, even Spencer Perceval would have bestirred himself to prevent it; but Ministers neither expected nor had reason to expect hostilities. On the contrary, the only bright spot in Perceval’s horizon was the United States, where his influence seemed paramount.

After all that had occurred — seizures, blockades, impressments, and

Orders in Council; the *Chesapeake* affair, Rose's mission, Canning's letters, Erskine's arrangement, and Jackson's dismissal — the British Government counted its American policy as its chief success. While it was possibly true, or soon became true, that the United States were, as Wellesley afterward alleged, infected by a deadly hostility to England, neither Wellesley nor Canning, nor any other English statesman in the year 1810, suspected the strength of that passion, or dreamed of shaping a policy to meet the hatred which ought to have been constantly in their minds.

Americans could hardly be blamed for holding a low opinion of this Administration, when most intelligent Englishmen held the same. If Whigs or Liberals like Grenville, Brougham, and Sydney Smith were prejudiced critics, this charge could hardly be brought against Canning; but if Canning's opinion were set aside, the Wellesleys at least being identified with his Administration had every reason to wish Perceval success. How the Marquess hated and despised Perceval; how he struggled to get rid of him, and strained every nerve to bring Canning, Castle-reagh, Sidmouth, Grey, or Grenville into the Government as a counter-balancing influence, can be read in the biographies of all these men, and of many less famous. London echoed with the Marquess's deep disgust; every man of fair parts in England sympathized with it, unless his personal interests or feelings bound him to blind devotion.

In the midst of this chaos, such as England had rarely seen, fell Cadore's announcement of August 5 that the Imperial Decrees were withdrawn, *bien entendu* that before November 1 England should have abandoned her blockades or America should have enforced her rights. Pinkney hastened to lay this information before Lord Wellesley, August 25, and received the usual friendly promises, which had ceased to gratify him. Two days afterward he received from Wellesley a civil note saying that whenever the repeal of the French Decrees should actually have taken effect and the commerce of neutral nations should have been restored to the condition in which it previously stood, the system of counteraction adopted by England should be abandoned. This reply, being merely another form of silence, irritated Pinkney still more, while his instructions pressed him to act. He waited until September 21, when he addressed to Wellesley a keen remonstrance. 'If I had been so fortunate,' he began, 'as to obtain for my hitherto unanswered inquiry the notice

which I had flattered myself it might receive, and to which I certainly thought it was recommended by the plainest considerations of policy and justice, it would not perhaps have been necessary for me to trouble your Lordship with this letter'; and in this tone he went on to protest against the 'unwarrantable prohibitions of intercourse rather than regular blockades,' which had helped in nearly obliterating 'every trace of the public law of the world.'

Pinkney's letter of September 21, like most of his other letters, remained unanswered; and before November 1, when Napoleon's term for England's action expired, a new turn of affairs made answer impossible. The old King was allowed to visit the death-bed of his favorite daughter, the Princess Amelia; he excited himself over her wishes and farewells, and October 25 his mind, long failing, gave way for the last time. His insanity could not be disguised, and the Government fell at once into confusion.

## CHAPTER SIXTY-EIGHT

### *Government by Proclamation*

THE SUMMER OF 1810 was quiet and hopeful in America. For the first time since December, 1807, trade was free. Although little immigration occurred, the census showed an increase in population of nearly thirty-seven per cent in ten years — from 5,300,000 to 7,240,000, of which less than one hundred thousand was due to the purchase of Louisiana. Virginia and Massachusetts still fairly held their own, and New York strode in advance of Pennsylvania, while the West gained little relative weight. Ohio had not yet a quarter of a million people, Indiana only twenty-four thousand, and Illinois but twelve thousand, while Michigan contained less than five thousand. The Third Census showed no decided change in the balance of power from any point of view bounded by the usual horizon of human life. Perhaps the growth of New York City and Philadelphia pointed to a movement among the American people which might prove more revolutionary than any mere agricultural movement westward. Each of these cities contained a population of ninety-six thousand, while Baltimore rose to forty-six thousand and Boston to thirty-two thousand. The tendency toward city life, if not yet unduly great, was worth noticing, especially because it was confined to the seaboard States of the North.

Thus the summer passed with much of the old contentment that marked the first Administration of Jefferson. Having lost sight of national dignity, the commercial class was contented under the protection of England; and American ships in the Baltic, in Portugal, and in the West Indies never hesitated to ask and were rarely refused the assistance of the British navy. From time to time a few impressments were reported; but impressment had never been the chief subject of complaint, and after the withdrawal of the frigates blockading New York, little was heard of British violence. On the other hand, Napoleon's outrages roused great clamor in commercial society, and his needless harshness to every victim, from the Pope to the American sailors whom he shut up as prisoners of war, went far to palliate British offenses in the eyes of American merchants.

News of Napoleon's seizures at San Sebastian arrived before the ad-

journment of Congress May 1; and as fresh outrages were reported from every quarter by every new arrival, even Madison broke into reproaches. May 25 he wrote to Jefferson: 'The late confiscations by Bonaparte comprise robbery, theft, and breach of trust and exceed in turpitude any of his enormities not wasting human blood.' These words seemed to show intense feeling, but Madison's temper indulged in outbursts of irritability without effect on his action; in reality, his mind was bent beyond chance of change on the old idea of his Revolutionary education — that the United States must not regard France, but must resist Great Britain by commercial restrictions.

Cadore's letter announcing that the French Decrees were withdrawn, on the understanding that the United States should by November 1 enforce their rights against England, reached Washington September 25, but not in official form. The President's only authority to act at all without consulting Congress depended on the words of the law of May 1: 'In case either Great Britain or France shall, before the third day of March next, so revoke or modify her edicts as that they shall cease to violate the neutral commerce of the United States, which fact the President of the United States shall proclaim by proclamation,' the Non-Intercourse Act of March 1, 1809, should at the end of three months revive against the nation which had not revoked its edicts. Under this authority, President Madison was required by Cadore's letter to proclaim that France had revoked or modified her edicts so that they ceased to violate the neutral commerce of the United States.

Madison was doubtless a man of veracity; but how was it possible that any man of veracity could proclaim that France had revoked or modified her edicts so that they ceased to violate the neutral commerce of the United States when he had every reason to think that at least the Bayonne Decree, barely six months old, would not be revoked, and when within a few weeks he had officially declared that the revocation of the Bayonne Decree was 'an indispensable evidence of the just purpose of France' preliminary to a non-intercourse with England?

The law required the President to proclaim a fact — that France had revoked or modified her decrees so that they ceased to violate the commerce of America. Of this fact Cadore's letter was the only proof; but evidently Cadore's letter pledged the Emperor to nothing. 'I am authorized to declare to you,' wrote Cadore, 'that the Decrees of Berlin and

Milan are revoked, and that after November 1 they will cease to have effect, on the understanding that in consequence of this declaration . . . the United States, conformably to the Act you have just communicated, shall cause their rights to be respected by the English.' Napoleon, not only reserved to himself the right of judging whether the measures to be taken by the United States should 'cause their rights to be respected,' but in doing so he reversed the process prescribed by the Act, and required the President to enforce his rights before the Emperor should withdraw his decrees.

From the standpoint of morality, perhaps the most serious objection of all was the danger of sacrificing national and personal self-respect by affecting to regard as honest a promise evidently framed to deceive, and made by a man whom Madison habitually characterized in terms that implied, to speak mildly, entire want of confidence. In truth, Madison's course was due not to logic, but to impatience. Madison gave the reason in a letter of October 19 to Jefferson: 'We hope from the step the advantage at least of having but one contest on our hands at a time.' He was mistaken, and no one expressed himself afterward in language more bitter than he used against Napoleon for conduct that deceived only those who lent themselves to deception.

Having decided to accept Cadore's letter as proof that an actual repeal of the French Decrees, within the meaning of the Act of Congress, had taken place November 1, the President issued, November 2, his proclamation declaring that 'it has been officially made known to this Government that the said edicts of France have been so revoked as that they ceased, on the said first day of the present month, to violate the neutral commerce of the United States'; and simultaneously Gallatin issued a circular to the collectors of customs, announcing that commercial intercourse with Great Britain would cease February 2, 1811.

The proclamation of November 2, 1810, was not the only measure of the autumn which exposed the President to something more severe than criticism. At the moment when he challenged a contest with England on the assertion that Napoleon had withdrawn his decrees, Madison resumed his encroachments on Spain in a form equally open to objection.

The chaos that reigned at Madrid and Cadiz could not fail to make itself felt throughout the Spanish Empire. Under British influence, Buenos Ayres in 1810 separated from the Supreme Junta, and drove out the

viceroy whom the Junta had appointed. In April of the same year Caracas followed the example, and entered into a treaty with England, granting commercial preferences equally annoying to the Spaniards and to the United States. Miranda reappeared at the head of a revolution which quickly spread through Venezuela and New Grenada. A civil war broke out in Mexico. Even Cuba became uneasy. The bulky fabric of Spanish authority was shaken, and no one doubted that it must soon fall in pieces forever.

England and the United States, like two vultures, hovered over the expiring empire, snatching at the morsels they most coveted, while the unfortunate Spaniards, to whom the rich prey belonged, flung themselves, without leadership or resources, on the ranks of Napoleon's armies.

As long as Baton Rouge and Mobile remained Spanish, New Orleans was insecure. This evident danger prompted Madison, when Secretary of State, to make a series of efforts, all more or less unfortunate, to gain possession of West Florida; and perhaps nothing but Napoleon's positive threat of war prevented the seizure of Baton Rouge during Jefferson's time. After that crisis, the subject dropped from diplomatic discussion; but as years passed and Spanish power waned, American influence steadily spread in the province. Numerous Americans settled in or near the district of West Feliciana, within sight of Fort Adams, across the American border. As their number increased, the Spanish flag at Baton Rouge became less and less agreeable to them; but they waited until Buenos Ayres and Caracas gave notice that Spain could be safely defied.

In the middle of July, 1810, the citizens of West Feliciana appointed four delegates to a general convention, and sent invitations to the neighboring districts inviting them to co-operate in re-establishing a settled government. The convention was held July 25, and consisted of sixteen delegates from four districts, who organized themselves as a legislature, and with the aid or consent of the Spanish Governor began to remodel the Government. After some weeks of activity they quarreled with the Governor, charged him with perfidy, and suddenly assembling all the armed men they could raise, assaulted Baton Rouge. The Spanish fort, at best incapable of defense, was in charge of young Louis Grandpré, with a few invalid or worthless soldiers. The young man thought himself bound in honor to maintain a trust committed to him; he rejected

the summons to surrender, and when the Americans swarmed over the ruinous bastions they found Louis Grandpré almost alone defending his flag. He was killed.

After capturing Baton Rouge, the Americans held a convention, which declared itself representative of the people of West Florida, and September 26 issued a proclamation, which claimed place among the curious products of that extraordinary time. ‘It is known to the world,’ began this new declaration of independence, ‘with how much fidelity the good people of this territory have professed and maintained allegiance to their legitimate sovereign while any hope remained of receiving from him protection for their property and lives.’ The convention had acted in concert with the Spanish Governor ‘for the express purpose of preserving this territory, and showing our attachment to the Government which had heretofore protected us’; but the Governor had endeavored to pervert those concerted measures into an engine of destruction; and therefore, ‘appealing to the Supreme Ruler of the world for the rectitude of our intentions, we do solemnly publish and declare the several districts composing the territory of West Florida to be a free and independent State.’

A few days afterward, the convention, through its president, wrote to the Secretary of State, Robert Smith, urging the annexation of the new territory to the United States, but claiming all the public lands in the province for ‘the people of this Commonwealth, who have wrested the government and country from Spain at the risk of their lives and fortunes.’ These words accorded ill with their appeal to the Supreme Ruler of the world for the rectitude of their intentions and their protest of ‘our inviolable fidelity to our king and parent country while so much as a shadow of legitimate authority remained to be exercised over us.’ Yet neither with nor without their elaborate machinery of legitimate revolution could Madison have anything to do with them. Innumerable obstacles stood in his way. They declared the independence of territory which he had long since appropriated to the United States. This course alone withheld Madison from recognizing the new State; but other difficulties forbade any action at all. The Constitution gave the President no power to use the army or navy of the United States beyond the national limits without the authority of Congress; and although extreme emergency might have excused the President in taking such action, no emergency existed in October, 1810, since Congress would meet within

six weeks, and neither Spain, France, nor England could interfere in the interval. The President's only legal course was to wait for Congress to take what measures seemed good.

Madison saw all this, but, though aware of his want of authority, felt the strongest impulse to act without it. The military occupation of West Florida was an act of war against Spain. Napoleon himself never committed a more arbitrary act than that of marching an army, without notice, into a neighbor's territory, on the plea that he claimed it as his own. None of Madison's predecessors ventured on such liberties with the law; none of his successors dared imitate them, except under the pretext that war already existed by the act of the adverse Government.

Madison was regarded by his contemporaries as a precise, well-balanced, even a timid man, argumentative to satiety, never carried away by bursts of passion, fretful rather than vehement, pertinacious rather than resolute — a character that seemed incapable of surprising the world by reckless ambition or lawless acts; yet this circumspect citizen, always treated by his associates with a shade of contempt as a closet politician, paid surprisingly little regard to rules of consistency or caution. His Virginia Resolutions of 1798, his instructions in the Louisiana Purchase, his assumption of Livingston's claim to West Florida, his treatment of Yrujo, his embargo policy, his acceptance of Erskine's arrangement, his acceptance of Cadore's arrangement, and his occupation of West Florida were all examples of the same trait; and an abundance of others were to come. He ignored caution in pursuit of an object which seemed to him proper in itself; nor could he understand why this quiet and patriotic conduct should rouse tempests of passion in his opponents, whose violence, by contrast, increased the apparent placidity of his own persistence.

Forestalling the action of Congress which was to meet within five weeks, President Madison issued, October 27, 1810, a proclamation announcing that Governor Claiborne would take possession of West Florida to the river Perdido, in the name and behalf of the United States. This proclamation, one of the most remarkable documents in the archives of the United States Government, began by reasserting the familiar claim to West Florida as included in the Louisiana Purchase:

And whereas the acquiescence of the United States in the temporary continuance of the said territory under the Spanish authority was not the result of any distrust of their title, as has been particularly evinced by the

general tenor of their laws and by the distinction made in the application of those laws between that territory and foreign countries, but was occasioned by their conciliatory views, and by a confidence in the justice of their cause, and in the success of candid discussion and amicable negotiation with a just and friendly Power; . . . considering, moreover, that under these peculiar and imperative circumstances a forbearance on the part of the United States to occupy the territory in question, and thereby guard against the confusions and contingencies which threaten it, might be construed into a dereliction of their title or an insensibility to the importance of the stake; considering that in the hands of the United States it will not cease to be a subject of fair and friendly negotiation and adjustment; considering finally that the Acts of Congress, though contemplating a present possession by a foreign authority, have contemplated also an eventual possession of the said territory by the United States, and are accordingly so framed as in that case to extend in their operation to the same —

Considering all these reasons, substantially the same self-interest by which France justified her decrees and England her impressments, the President ordered Governor Claiborne, with the aid of the United States Army, to occupy the country and to govern it as a part of his own Orleans Territory. Having by these few strokes of his pen authorized the seizure of territory belonging to 'a just and friendly Power,' and having legislated for a foreign people without consulting their wishes, the President sent to the revolutionary convention at Baton Rouge a sharp message through Governor Holmes of the Mississippi Territory, to the effect that their independence was an impertinence and their designs on the public lands were something worse.

Claiborne took possession of the revolutionized districts December 7. Yet Claiborne did not advance to the Perdido; he went no farther than the Pearl River, and began friendly negotiations with Governor Folch at Mobile for delivery of the country still held by the Spaniards between the Pearl and the Perdido.

The four districts west of the Pearl River were organized by Claiborne as a part of the Territory of Orleans, in which shape, the President's proclamation had said, 'it will not cease to be a subject of fair and friendly negotiation and adjustment' with Spain. Within a few weeks the President announced to Congress in his Annual Message that 'the legality and necessity of the course pursued' required from the Legisla-

ture 'whatever provisions may be due to the essential rights and equitable interests of the people thus brought into the bosom of the American family.' The difficulty of reconciling two such assertions perplexed many persons who in the interests of law and of society wished to understand how a people already brought into the bosom of the American family could remain a subject of fair negotiation with a foreign Power.

## CHAPTER SIXTY-NINE

### *The Floridas and the Bank*

THE ELECTIONS for the Twelfth Congress showed a change in public opinion, and not only reduced the Federalists to their old rank of a faction rather than a party, but also weakened the conservative Republicans of Jefferson's school; while the losses of both strengthened a new party, which called itself Republican, but favored energy in government. Henry Clay and William Lowndes, John C. Calhoun and Felix Grundy, Langdon Cheves and Peter B. Porter, whatever they might at times say, cared little for Jeffersonian or Madisonian dogmas. The election which decided the character of the Twelfth Congress, by choosing men of this character to lead it, decided also the popular judgment on the Eleventh Congress. Rarely in American history has any particular Congress been held in high popular esteem, but seldom if ever was a Congress overwhelmed by contempt so deep and general as that which withered the Eleventh in the midst of its career.

The American system of prolonging the existence of one legislature after electing another, never worked worse in practice than when it allowed this rump Congress of 1809, the mere scourings of the embargo, to assume the task of preparing for the War of 1812, to which it was altogether opposed and in which it could not believe.

President Madison's Annual Message, December 5, called attention to such business as he wished to present. Naturally, the revocation of the French Decrees took the first place. The President assumed that the revocation was complete and that his proclamation was issued in regular course, 'as prescribed by law,' the President having no discretion; but he admitted disappointment that the sequestered property had not been restored. The state of the Spanish monarchy had produced a change in West Florida, a district 'which though of right appertaining to the United States had remained in the possession of Spain, awaiting the result of negotiations for its actual delivery to them.' The Spanish authority being subverted, the President did not delay taking possession; 'the legality and necessity of the course pursued assure me of the favorable light in which it will present itself to the Legislature.'

Congress lost no time. West Florida called first for attention; and Senator Giles, December 18, reported a bill extending the Territory of Orleans to the river Perdido, in accordance with the President's measures. In the debate which followed, Federalist Senators attacked the President for exceeding the law and violating the Constitution. As usual, the most pungent critic of Republican doctrines was Senator Pickering, who, if he could not convince, could always annoy the majority. He read Talleyrand's letter of December 21, 1804, which put an end to Monroe's attempt to include West Florida in the Louisiana Purchase. Nothing could be more apt; but nothing could be more annoying to the Administration, for Talleyrand's letter was still secret. Confidentially communicated with other papers to Congress by Jefferson, December 6, 1805, the injunction of secrecy had never been removed and the publication tended to throw contempt on Madison not only for his past but particularly for his present dalliance with Napoleon.

The interlude helped only to embarrass the true question — what should be done with West Florida. President Madison's doctrine, embodied in Giles's bill, carried out the Livingston-Monroe theory that West Florida belonged to Louisiana. In theory, this arrangement might answer the purpose for which it was invented; but in fact West Florida did not belong to Louisiana, either as a Spanish or as an American province, and could not be treated as though it did. If Mobile Bay and the Gulf coast as far as the Perdido belonged to Louisiana, the territory afterward divided into the States of Alabama and Mississippi had no outlet to the Gulf. Georgia would never consent to such treatment, merely to support President Madison in alleging that West Florida was occupied by him as a part of the Orleans Territory. Senator Giles's bill was silently dropped.

The Senate reached this point December 31, but meanwhile the House reached the same standstill from another side. December 17 the Speaker appointed a committee, with Macon at its head, to report on the admission of Orleans Territory as a State. The admission of the State of Louisiana into the Union was for many reasons a serious moment in American history; but one of its lesser incidents was the doubt which so much perplexed the Senate, whether Louisiana included West Florida. If this was the case, then by the third article of the treaty of purchase the inhabitants of Mobile and the district between Mobile and Baton

Rouge, without division, should be 'incorporated in the Union of the United States, and admitted as soon as possible' to the Union as part of the Territory of Orleans. This was the opinion of Macon and his committee, as it had been that of Giles and his committee, and of the President and his Cabinet.

December 27, Macon reported a bill admitting Louisiana, with West Florida to the Perdido, as a State; but no sooner did the debates begin than the Georgians for the first time showed delicacy in regard to the rights of Spain. Troup could not consent to include in any State this territory 'yet in dispute and subject to negotiation.' Bibb held the same misgivings: 'The President by his proclamation, although he had required its occupation, had declared that the right should be subject to negotiation; now, if it became a State, would not all right of negotiation be taken from the President?' To prevent this danger, Bibb moved that West Florida, from the Iberville to the Perdido, should be annexed to the Mississippi Territory or made a separate government.

The House tried as usual to defer or compromise its difficulty. January 9, Macon's bill was so amended as to withdraw West Florida from its operation; but when on the following day two members in succession asked the House to provide a government for West Florida, the House referred the motions back to the committee, and there the matter rested. No man knew whether West Florida belonged to Louisiana or not. If the President was right, Mobile and all the Gulf shore to a point within ten miles of Pensacola, although still held by the Spaniards, made part of the State of Louisiana, and even an Act of Congress could not affect it; while if this was not the case, the President in ordering the seizure of West Florida had violated the Constitution and made war on Spain.

Hardly had the House admitted its helplessness in the face of this difficulty when it was obliged to meet the larger issue involved in the Louisiana affair; for January 14, 1811, Josiah Quincy, with extreme deliberation, uttered and committed to writing a sentence which remained long famous:

If this bill passes, it is my deliberate opinion that it is virtually a dissolution of this Union; that it will free the States from their moral obligation; and, as it will be the right of all, so it will be the duty of some, definitely to prepare for a separation — amicably if they can, violently if they must.

Quincy went on arguing, as Jefferson had argued eight years before, that the introduction of new States, outside the original Union, was no part of the compact, and must end in overwhelming the original partners.

Quincy's protest wanted only one quality to give it force. He spoke in the name of no party to the original compact. His own State of Massachusetts assented to the admission of Louisiana, and neither the Governor nor the Legislature countenanced the doctrine of Quincy and Pickering. If the partners themselves made no protest, the act had all the legality it needed, in the absence of appeal to higher authority; but it consummated a change in the nature of the United States Government, and its results, however slow, could not fail to create what was in effect a new Constitution.

The House, without further delay, passed the bill by a vote of seventy-seven to thirty-six. After some amendment by the Senate and dispute between the Houses, the bill was sent to the President, and February 20, 1811, received his signature. The Act fixed the Iberville and the Sabine for the eastern and western boundaries of the new State. Meanwhile, West Florida remained, till further legislation, a part of Orleans Territory for all purposes except those of admission into the Union; and, according to the view implied by the action of Executive and Legislature, the President retained power to order the military occupation of Texas, subject to government afterward, like West Florida, by the proconsular authority of the Executive.

As though the Florida affair needed still further complication, the President, January 3, sent to Congress a secret Message asking authority to seize East Florida:

I recommend . . . the expediency of authorizing the Executive to take temporary possession of any part or parts of the said territory, in pursuance of arrangements which may be desired by the Spanish authorities. . . . The wisdom of Congress will at the same time determine how far it may be expedient to provide for the event of a subversion of the Spanish authorities within the territory in question, and an apprehended occupancy thereof by any other foreign Power.

In secret session Congress debated and passed an Act, approved January 15, 1811, authorizing the President to take possession of East Florida, in case the local authority should consent or a foreign Power should attempt to occupy it. The President immediately appointed two

commissioners to carry the law into effect. The orders he gave them, the meaning they put on these orders, the action they took, and the President's further measures were to form another remarkable episode in the complicated history of Florida.

Congress next turned to the charter of the United States Bank; but if it succumbed before West Florida, it was helpless in dealing with finance. The Bank was vulnerable on more than one side. Largely owned in England, it roused jealousy as a foreign influence. Congress could hardly blame this ownership, since Congress itself, in 1802, aided President Jefferson in selling to the Barings, at a premium of forty-five per cent, the two thousand two hundred and twenty Bank shares still belonging to the Government. The operation brought to the Treasury not only a profit of four hundred thousand dollars in premiums, but also about thirteen hundred thousand dollars of British capital to be used for American purposes. Fully two-thirds of the Bank stock, amounting to ten million dollars, were owned in England; all the five thousand shares originally subscribed by the United States Government had been sold to England; and as the Bank was a mere creature of the United States Government, these seven millions of British capital were equivalent to a score of British frigates or regiments lent to the United States to use against England in war. By returning them, the United States seriously weakened themselves and strengthened their enemy.

Doubtless the objections to the Bank were so strong as some day to become fatal. In a society and government so little developed as those of America, a National Bank was out of keeping with other institutions. Even in England and France these banks exercised more influence over the Treasury than was proper; and in America, if once the Bank should unite in political sympathy with the Government, it might do no little harm. The necessity for such an institution was merely one of the moment, but in the period of national history between 1790 and 1860, the year 1811 was perhaps the only moment when destruction of the Bank threatened national ruin. A financial cataclysm had prostrated credit from St. Petersburg to New Orleans. Prices were nominal. Nothing could prevent expansion of credit, drain of specie, bankruptcy and confusion of the currency; and this was to be done at the time the country entered into a war with the only Power whose influence could shake the Union to its foundation.

Gallatin had at last found a capable Senator to support him. The political fortunes of William Henry Crawford, which ended only at the threshold of the White House, drew no small part of their growth from his courageous defense of the Treasury during these chaotic years. Crawford showed the faults of a strong nature — he was overbearing, high-tempered, and his ambition did not spurn what his enemies called intrigue; but he possessed the courage of Henry Clay, with more than Clay's intelligence, though far less than his charm. Crawford was never weak, rarely oratorical; and if he was ever emotional he reserved his emotion for other places than the Senate.

February 5 he introduced into the Senate a bill containing the old Bank charter for twenty years on certain conditions; and February 11 he supported the bill in a speech remarkable for the severity of its truths. He began by challenging the Constitution itself:

Upon the most thorough examination [of the Constitution] I am induced to believe that many of the various constructions given to it are the result of a belief that it is absolutely perfect. It has become so extremely fashionable to eulogize this Constitution, whether the object of the eulogist is the extension or contraction of the powers of the Government, that whenever its eulogium is pronounced, I feel an involuntary apprehension of mischief.

Upon the party theory that Congress could exercise no implied power, and therefore could not charter a corporation, Crawford fell energetically. Under Gallatin's teaching, Crawford bade fair to make himself, what the South so greatly needed, a statesman who understood its interests; but he was far in advance of his people. The society from which he sprang was more correctly represented by Giles, who answered him in the manner for which the Virginia Senator had acquired unpleasant notoriety. February 14, John Randolph wrote to his friend Nicholson: 'Giles made this morning the most unintelligible speech on the Bank of the United States that I ever heard.' Never had Giles taken more trouble to be judicial, candid, and temperate; no one could have admitted with more impartiality the force of his opponent's arguments; but his instincts, stronger than his logic, compelled him to vote against the Bank. The conclusion was as certain as the process was vague.

Henry Clay, who followed on the same side, ironically complimented the Virginia Senator, who had 'certainly demonstrated to the satisfaction

of all who heard him both that it was constitutional and unconstitutional, highly proper and improper, to prolong the charter of the Bank'; but Clay's irony was as unfortunate as Giles's logic. The sarcasm thrown at Giles recoiled on Clay himself, for he passed the rest of his life in contradicting and repenting the speech he made at this moment, in which he took ground against the power of Congress to create corporations. The legislation of twenty years which enforced the opposite opinion he swept aside in his peculiar manner. 'This doctrine of precedents, applied to the Legislature, appears to me to be fraught with the most mischievous consequences.' With more than his ordinary self-confidence, he affirmed that the Treasury could be as well conducted without as with the Bank; and he closed with a burst of rhetoric hardly to be paralleled in his oratory, by holding the Bank responsible for not preventing Great Britain from attacking the *Chesapeake*, impressing American seamen, and issuing the Orders in Council.

Clay's excuse for extravagances like these was neither his youth nor his ignorance of affairs, nor his obedience to instructions, nor yet a certain want of tact which made him through life the victim of needless mistakes, but was rather the simple repentance with which, within five years, he threw himself on the mercy of the public, admitting that had he foreseen the effect of his course he would have acted in a very different way.

When the Senate, February 20, divided on the motion to strike out the enacting clause, seventeen Senators voted for the Bank and seventeen voted against it. When the result was announced, the Vice-President, George Clinton, threw his casting vote against the bill. So perished the first Bank of the United States; and with its destruction the Federalist crisis, so long threatened, began at last to throw its shadow over the Government.

## CHAPTER SEVENTY

### *Contract with France*

**W**HILE CONGRESS RECOILED from the problem of West Florida, and by a single voice decreed that the United States Bank should cease to exist, nothing had yet been decided in regard to England and France.

This delay was not due to negligence. From the first day of the session, anxiety had been great; but decision, which even in indifferent matters was difficult for the Eleventh Congress, became impossible in so complicated a subject as that of foreign relations. The President's proclamation named February 2, 1811, as the day when intercourse with England was to cease. Congress had been six weeks in session and had barely a fortnight to spare, when at last the subject was brought before the House, January 15, by John W. Eppes of Virginia, Chairman of the Committees of Ways and Means and Foreign Relations, who reported a bill for regulating commercial intercourse with Great Britain. As a third or fourth commercial experiment — a companion to the partial Non-Intercourse Act of April, 1806; the Embargo of December, 1807; and the total Non-Intercourse Act of March, 1809 — the new bill promised more discontent in America than it was ever likely to create in England. The measure was not a non-intercourse, but a non-importation, severe and searching, in some ways almost as violent as the embargo; and was to be passed by a Congress elected expressly for the purpose of repealing the embargo.

The proposed bill lay on the Speaker's table. February approached, and still Congress did nothing; yet this delay substituted in place of the Constitution a system of government by proclamation. In two instances involving not only foreign war, but also more than half the foreign trade and several principles of fundamental law, the country depended in February, 1810, on two Executive proclamations, which rested on two assertions of fact that no one believed to be true. In spite of Madison and his proclamations, West Florida was not a part of Louisiana; Napoleon had not withdrawn his decrees — and Congress was unwilling to support either assertion.

Unless the Berlin and Milan Decrees were repealed November 1,

1810, as Cadore's letter was held to promise, neither President nor Congress could reasonably take the ground that Cadore's letter, of itself, revived the non-intercourse against England. The United States had the right to make war on England with or without notice, either for her past spoliations, her actual blockades, her Orders in Council other than blockades, her Rule of 1756, her impressments, or her attack on the *Chesapeake*, not yet redressed — possibly also for other reasons less notorious; but the right to make war did not carry with it the right to require that the world should declare to be true an assertion which the world knew to be false.

Only one proof could be admitted as sufficient evidence that the French Decrees were repealed. The Emperor had violated American rights by decree, and until he restored them by decree no municipal order of his subordinates could replace the United States in the position they claimed. For this reason the President and Congress waited anxiously for news from Paris to November 1, when the decree of appeal should have issued. The news came, but included no decree. The President then assumed that at least the Decrees of Berlin and Milan would not be enforced in France after November 1; but letters from Bordeaux, dated December 14, 1810, brought news that two American vessels which entered that port about December 1 had been sequestered.

This intelligence was a disaster. The President communicated it to Congress in a brief Message January 31; and so serious was its effect that on February 2, when the non-intercourse revived by proclamation, Eppes rose in the House and moved to recommit his bill on the ground that the behavior of France gave no excuse for action against England.

When one nation is agreed in the policy of fighting another, any *prétexte* will answer, and Government need not even be greatly concerned to give any reason at all; but in the condition of America in 1811, grave dangers might result from setting aside the four or five just issues of war with England in order to insist on an issue that revolted common-sense. Even on the floor of the House no Republican could stand a moment before John Randolph without better protection than this compact with France, which France herself did not recognize.

February 9, Eppes rejoiced the House by opening a fresh hope of some decided policy. A new French minister was soon to arrive in place of Turreau, and further legislation must wait his arrival.

He has left France [said Eppes] at a time to bring us certain information on this question. I have no wish to enter on this interesting question with a bandage round my eyes. Whether France has complied with her engagements, whether France has failed in her engagements, cannot be a subject of ingenious speculation many days longer.

The new minister arrived almost immediately. Unlike Turreau, Serurier was a diplomat by profession. He had last served as French minister at The Hague, where, by no fault of his own, he drove King Louis of Holland from his throne. February 16, he was presented to the President, and the next day had a long interview with Robert Smith, who learned that he brought no instructions or information of any kind on the one subject that engrossed diplomatic attention.

After this interview, on the same day, the President apparently held a Cabinet meeting, and probably also consulted certain party leaders in Congress; but no record of such conferences has been preserved, nor is anything known of the arguments that ended in the most hazardous decision yet risked.

The decision to enforce and re-enforce the non-intercourse against England implied that the President considered Napoleon's Decrees to be withdrawn. February 17, at latest, the decision was made. February 19, the President sent to Congress a Message containing two French documents. The first was a letter, dated December 25, from the Duc de Massa, Minister of Justice, to the President of the Council of Prizes, which recited the words of Cadore's letter and the measures taken by the American Government in consequence, and ordered that all captured American vessels should thenceforward not be judged according to the principles of the Decrees of Berlin and Milan, which 'shall remain suspended'; but such captured vessels should be sequestered, 'the rights of the proprietors being reserved to them until the second of February next, the period at which the United States, having fulfilled the engagement to cause their rights to be respected, the said captures shall be declared null by the Council.' The second letter, of the same date, was written by Gaudin, Duc de Gaete, Minister of Finance, to the Director-General of the Customs, directing him thenceforward not to enforce the Berlin and Milan Decrees against American vessels.

On these letters, not on any communications from Serurier, the President rested his decision that the Decrees of Berlin and Milan were so re-

voked as no longer to violate the neutral commerce of the United States. Obviously they failed to prove more than that the Decrees were partially suspended. According to these orders the Decrees were not under any circumstances to be revoked, but their operation upon American commerce in France was to cease in case the Emperor should be satisfied that America had previously enforced against England the principles of the Decrees. This was the converse of the American demand, and was in effect the attitude of England.

February 21, Eppes moved in the House to amend his bill by substituting two new sections, which revived the non-intercourse of March, 1809, against England in respect to all vessels which left a British port after February 2, 1811, and forbade the courts to entertain the question whether the French edicts were or were not revoked.

Nothing short of a revolution in the form of government could force such a bill through Congress at so late an hour; but the Republican Party, having decided on the measure, did not shrink from employing the means.

After one day's debate the bill was reported, and February 26 the true struggle began. The House sat eighteen hours, while the minority consumed time by long speeches and dilatory motions. During the last four hours no quorum was present, and the Speaker decided that in the absence of a quorum no compulsory process could be issued. When the House reassembled at half-past ten on the morning of February 27, long speeches were resumed. The evening session began at six o'clock, when on both sides patience was exhausted. Randolph made two successive motions to postpone. Eppes declared that Randolph's motive was to delay and defeat the bill; Randolph retorted by the lie direct, and for a time the House fell into confusion, while Eppes wrote a challenge on the spot and sent it by Richard M. Johnson to Randolph, who left the House to instruct his second.

Until half-past two o'clock in the morning of February 28 time was consumed in these tactics. At that hour Barent Gardenier was on the floor making another diffuse harangue when Thomas Gholson of Virginia called for the previous question on the last motion before the House. According to the rules, Speaker Varnum stated the motion: 'Shall the main question be now put?' It was decided in the affirmative. Gardenier immediately attempted to speak on the main question, when Gholson called him to order. Then followed the *coup d'état*.

The Speaker decided that according to the late practice of the House it was in order to debate the main question after the previous question had been taken.

Gholson appealed. The Speaker decided that the appeal was debatable, but his decision was reversed by a vote of sixty-six to thirteen. The House then, without a division, reversed his first ruling, and ordered that thenceforth, after the motion for the previous question should have been decided in the affirmative, the main question should not be debated.

By this means and by persistent silence the majority put an end to debate. The bill was forced to its passage, and at about five o'clock on the morning of February 28 the House passed it by a vote of sixty-four to twelve. March 2 it passed the Senate, and was approved by the President.

The rule of the previous question thus adopted has been the subject of much criticism, and doubtless tended among other causes to affect the character of the House until in some respects it became rather a court of registration than a deliberative body. With few exceptions in history, this result has proved inevitable in large assemblies whose cumbrous inefficiency has obstructed public needs or interests; and perhaps the House of Representatives in 1811 was not to blame for seeking to correct vices inherent in its character. Such great and permanent changes implied a sufficient cause behind them, even though they led to worse evils. The previous question was a rude expedient for removing wanton obstruction, and might have been the source of benefit rather than of injury to the public service had the House succeeded in giving its new character systematic improvement; but in American history the previous question became an interesting study, because it marked deterioration. Of all the defenses provided by the Constitution for special or feeble interests, the right of debate was supposed to be the most valuable; and nowhere was this right so necessary as in Congress. Not even in the courts of justice was deliberation more essential than in the House of Representatives. The Republicans came into office in 1801 to protect special and feeble interests, and had no other reason for existence than as the enemies of centralized power; yet circumstances drove them to impose silence on the voice of a minority that wanted only to prevent an improper act, and they did so by methods substantially the same as those used by Cromwell or Napoleon. In neither case was the minority consulted or its protest

regarded. The difference was rather in the character of the actors. The great usurpers of history had in one sense a sufficient motive, for they needed the power they seized, and meant to use it. The Republican majority in the Eleventh Congress neither needed power nor meant to use it. Their object was not to strengthen Government, or to prepare for war, or even to suppress popular liberties for their own pleasure, but merely to carry out an Executive scheme which required no haste and was to be followed by no strong measures.

So far from grasping at weapons, Congress and the Executive seemed bent only on throwing away the weapons they held. The Bank perished almost with the same breath that revived the non-intercourse against England. By abolishing the Bank, Congress threw away a large sum of money which Gallatin hoped to employ for his current demand and for possible war. By forbidding the importation of English merchandise, Congress further struck off one-half the annual revenue.

A short debate took place at the last moment of the session, on a bill authorizing the President to accept a corps of fifty thousand volunteers. March 1 the Senate passed the bill without a division. The House, without a division, indefinitely postponed the bill; and thus refusing to do more business of any kind, toward midnight of Sunday, March 3, the Eleventh Congress expired, leaving behind it, in the minds of many serious citizens, the repute of having brought Government to the last stage of imbecility before dissolution.

## CHAPTER SEVENTY-ONE

### *Dismissal of Robert Smith*

None but persons hostile to all central government could look toward the future without alarm; for if the system continued in the future to lose energy as in the ten years past, the time was not far distant when the country must revert to the old Confederation or to ties equally weak. Such a result was the outcome of Randolph's principles, and he should have welcomed it; but Randolph was a creature of emotions; with feminine faults he had feminine instincts and insight, which made him often shrink from results of his own acts. At this crisis he showed more political judgment than could be expected from wiser men. Though a Republican of the narrowest Virginia creed, he would take part with none of the factions that racked the Government. He opposed vehemently not only the legislative assertion that the French Decrees were withdrawn, but also the legislative violence that overthrew the constitution of the House by means of the previous question. If Randolph was wrong on either of these points, he was at least wrong in company with history itself. Disgusted with the factiousness of others, Randolph became almost statesmanlike, and for a brief moment showed how valuable he might have been had his balance equaled his intelligence.

Randolph had long since ceased to hold direct relations with Gallatin, but neither then nor ever afterward did he doubt that Gallatin was the only capable character in the Government, and that he must be supported. 'The cabal,' whose influence excited disgust in his mind as it did in that of Macon, ought to be put down, and Randolph said plainly to Gallatin's friends that the President must be compelled to do it. In truth, the cabal had no strength that warranted the alarm it roused. Samuel Smith's abilities have shown themselves in the story. Few men of the time stand more definitely imaged than he in speeches, letters, intrigues, and ambitions, for the exactest measurement; but measured in whatever way he pleased, he was rather mischievous than alarming. His brother Robert, whom he had made Secretary of State, was a mere instrument. Giles possessed more ability, but could never become the leader of a party or win the confidence of the public. Vice-President Clinton and his friends were an independent faction, ready to coalesce

with the Smiths and Giles for any personal objects; but they had little more capacity than the Marylanders. Michael Leib and Duane of the *Aurora* were more useful as intriguers, because they had less to lose; but they were also more dangerous to their friends. Seven or eight Federalist Senators also could be depended upon as allies for all ordinary purposes of faction. Yet in such a combination no solidarity existed; no common head, no plan, no object held its members together. The persons engaged in this petty and vexatious war on the Administration could not invent a scheme of common action, or provide a capable leader, or act in unison on any two measures.

Randolph had ruined himself by impetuosity; his only idea of resistance implied violence. Gallatin never used the knife except when every other means had been tried; but when he did so, his act was proof that no other outlet could be opened by the clearest head and the most patient temper of his time. For two years he had waited, while the problem he placed before Madison and Jefferson in 1809 became more perplexed and less soluble with every month; but when the Eleventh Congress expired, he reached the same conclusion with Randolph, that promptitude and decision could alone save Madison. Acting on this belief, he wrote a letter of resignation.

Gallatin's resignation obliged the President to act. How long he might still have waited had Gallatin taken no step, only those can say who best understand the peculiarities of his temper; but in any case he could hardly have much longer postponed a crisis. Not only were his ablest supporters, like Crawford, as impatient as Randolph of the situation, but his own personal grievances were becoming intolerable. He could acquiesce with patience while Gallatin and the Treasury were sacrificed; but he could not bear to be crossed in his foreign policy or to be opposed on his sensitive point — the system of commercial restrictions. Gallatin probably liked the non-intercourse as little as it was liked by the Smiths; but he did not, as a Cabinet Minister, intrigue against the President's policy, while Robert and Samuel Smith did little else.

When Gallatin, probably March 5, sent, or brought, his resignation to the White House, Madison declined to accept it, and at once authorized Gallatin to sound James Monroe on the offer of the State Department. Gallatin sent for Richard Brent, Giles's colleague in the Senate, who wrote to Monroe March 7. Brent's letter, followed by others, opened another

act in the political drama, for it made Monroe Secretary of State and President of the United States, and prolonged the Virginia dynasty for eight years; but in order to reach this result, Monroe himself had to thread more than one dark and dangerous passage, which would have wrecked the fortunes of any man not born to carry a charmed political life.

The attitude of Monroe in entering Madison's Cabinet may be understood. Committed to the doctrine that Madison had leaned toward France and that this bias should be corrected, Monroe and his personal party looked on Madison's offer of the State Department as the pledge of a change in policy which should have a rupture with France for its immediate object and the Presidency for its ultimate reward. Madison, on his side, understanding this scheme, saw no objection to it, and was unconscious of having committed the Government to any position that could necessarily embarrass Monroe. Monroe's acceptance of this situation was as natural as his refusal would have been surprising, for no man who wanted office, and who saw the Presidency in his grasp, could be required to show rigorous consistency. Madison's attitude was somewhat different; and his assurance, in March, 1811, that he saw no commitment which could necessarily embarrass Monroe in renewing negotiations with England, showed not only that Madison still counted on no war with England, but felt no suspicion that his measures within little more than a twelvemonth would lead him to a recommendation of war. The policy of commercial restrictions still satisfied his mind.

As soon as Madison learned through Senator Brent that Monroe made no serious difficulty in accepting the State Department, he sent for Robert Smith. A faithful account of the conversations that followed would add vivacity to the story, for Madison seemed at times to enjoy commenting not only on the acts of his opponents, but also on their motives; while Robert Smith, being easily disconcerted and slow in defense or attack, offered a tempting mark for arrows of temper. The first interview took place March 23, and Madison made a long memorandum of what passed.

I proceeded to state to him [recorded Madison] that it had long been felt and had at length become notorious that the administration of the Executive Department labored under a want of the harmony and unity which were equally necessary to its energy and its success; that I did not

refer to the evil as infecting our Cabinet consultations, where there had always been an apparent cordiality and even a sufficient concurrence of opinion, but as showing itself in language and conduct out-of-doors, counteracting what had been understood within to be the course of the Administration and the interest of the public; that truth obliged me to add that this practice, as brought to my view, was exclusively chargeable on him; and that he had not only counteracted what had been the result of consultations apparently approved by himself, but had included myself in representations calculated to diminish confidence in the Administration committed to me.

Robert Smith protested, in his somewhat incoherent way, against the truth of this charge; and the President, roused by resistance, spoke with more precision, instancing Smith's conduct in regard to Macon's bills in 1810, as evidence of the Secretary's bad faith.

With respect to his motives for dissatisfaction, I acknowledged that I had been, for the reasons given by him, much puzzled to divine any natural ones, without looking deeper into human nature than I was willing to do; . . . that whatever talents he might possess, he did not, as he must have found by experience, possess those adapted to his station; . . . that the business of the Department had not been conducted in the systematic and punctual manner that was necessary, particularly in the foreign correspondence, and that I had become daily more dissatisfied with it.

The man must have been easy-tempered who could listen to these comments on conduct, motives, and abilities without sign of offense; but Robert Smith showed no immediate resentment, for when the President closed by offering to send him to St. Petersburg to succeed J. Q. Adams, who was to take Justice Cushing's place on the Supreme Bench, Smith showed no unwillingness, although he avowed his preference for the other vacancy on the Bench soon to be caused by Justice Chase's death, or for the English mission left vacant by Pinkney's return. Madison declined to encourage these ambitions, and Smith retired to consider the offer of St. Petersburg. For several days the President supposed the arrangement to be accepted; but meanwhile Robert Smith consulted his friends, who held other views on the subject of his dignity and deserts. When he next saw the President, he declined the mission, declaring that acceptance would be only indirect removal from office, the result of 'a most shameful intrigue.' After trying in vain the characteristic task of convincing him that he altogether exaggerated his own consequence,

Madison accepted his resignation and left him to carry out his threat of appealing to the country. ‘He took his leave with a cold formality,’ concluded Madison, ‘and I did not see him afterward.’

April 1, 1811, Monroe took charge of the State Department. The first person to claim his attention was the French Emperor, and Monroe had reasons for knowing that diplomatists of reputed sagacity found use for uninterrupted attention when they undertook to deal with Napoleon.

Monroe stood in a situation of extreme difficulty, hampered not only by the pledges of his own Government, but still more by the difficulty of dealing at all with the Government of France. When Armstrong quitted Paris in September, 1810, being obliged to fix upon some American competent to take charge of the Legation at Paris, he chose Jonathan Russell. The selection was the best he could make. Jonathan Russell possessed advantages over ordinary ministers coming directly from America. A native of Rhode Island, educated at Brown University, after leaving college he followed the business of a merchant, and in November, 1809, sailed from Boston in a ship of his own, which arrived at Tönning in Denmark only to be at once sequestered under Napoleon’s Decrees. He passed several months in efforts to recover the property, and acquired experience in the process. About forty years old, and more or less acquainted with the people, politics, and languages of Europe, he was better fitted than any secretary of legation then abroad for the burden that Armstrong had found intolerable; yet the oldest and ablest diplomatist America ever sent to Europe might have despaired of effecting any good result with such means as were at the disposal of this temporary agent, who had not even the support of a direct commission from the President.

Russell felt the embarrassment of the position he was called to fill. Armstrong departed September 12, bearing Cadore’s promise that the Decrees should cease to operate November 1, and saying as little as possible of a condition precedent. The first of November came, and Russell asked the Duc de Cadore whether the revocation had taken place; but a month passed without his receiving an answer.

Russell’s instructions from America, including the President’s proclamation of November 2, arrived three days later, December 13, requiring him to assume the revocation of the Decrees; but only two days after

receiving them, he read, in the *Moniteur* of December 15, Cadore's official report to the Emperor declaring that the Decrees would never be revoked as long as England maintained her blockades; and again, December 17, he found in the same newspaper the Count de Semonville's official address before the Senate, declaring that the Decrees of Berlin and Milan should be the 'palladium of the seas.'

Although Napoleon's motives often seemed mysterious except to men familiar with his mind, yet one may venture to guess, since guess one must, that he had looked for little success from the maneuver of announcing the revocation of his Decrees as concerned the United States. Perhaps he dictated Cadore's letter of August 5 rather in order to prevent America from declaring war against himself than in the faith that a trick, that to his eye would have been transparent, could effect what all his efforts for ten years past had failed to bring about — a war between the United States and Great Britain. The Emperor showed certainly almost as lively surprise as pleasure, when December 12 he received the President's proclamation of November 2, reviving the non-intercourse against England. His pleasure was the greater when he learned that President Madison had adopted his suggestion, not only in this instance, but also in requiring of England the withdrawal of Fox's blockade of 1806 as a *sine qua non* of any future renewal of commerce.

For four years President Madison had strenuously protested that France and England must withdraw their Decrees as a condition precedent to friendly relations with America. For four years Napoleon had insisted that America should submit to his Decrees as a condition precedent to friendly relations with France. February 2, 1811, he carried his point. Russell made no further attempt to maintain the fact of revocation. Indeed, if the Decrees were revoked, American rights were more lawlessly violated than before. As ship after ship arrived from the United States, he saw each taken, under one pretext or another, into the Emperor's keeping.

Under such circumstances, the idea that the United States were bound by a contract with France — the principle on which Congress legislated in the month of February — had no meaning to Jonathan Russell at Paris, where as late as April 1 not a step had yet been taken toward making the contract complete. 'I trust,' wrote Russell, March 15, 'that I shall not be understood in anything which I have written in this

letter to urge any obligation on the United States to execute *at all* the Non-Intercourse Law; this obligation is certainly weakened if not destroyed, by the conduct of the Government here.'

Russell never misunderstood the situation or misled his Government. Although Napoleon's habit of deception was the theme of every historian and moralist, the more remarkable trait was his frequent effort to avoid or postpone an evidently necessary falsehood, and, above all, his incapacity to adhere to any consistent untruth. Napoleon was easily understood by men of his own stamp; but he was not wholly misunderstood by men like Armstrong and Russell. He did not choose to revoke the Decrees, and he made no secret of his reasons even to the American Government.

Again and again, by every means in his power and with every accent of truth, Napoleon asserted that his Decrees were not and never should be revoked, nor should they be even suspended except for the nations that conformed to them. Though America had rejected this law in 1807, she might still if she chose accept it in 1811; but certainly she could not charge Napoleon with deception or concealment of his meaning.

April 17, Napoleon made a sudden change in his Cabinet, by dismissing Cadore and appointing Hugues Maret, Duc de Bassano, as his Minister of Foreign Affairs. No one knew the cause of Cadore's fall. He was mild, modest, and not given to display. He 'lacked conversation,' Napoleon complained. Probably his true offense consisted in leaning toward Russia and in dislike for the commercial system, while Maret owed promotion to opposite tendencies. Maret's abilities were undoubted; his political morality was no worse than that of his master, and perhaps no better than that of Cadore or of Talleyrand whom he hated. He could hardly be more obedient than Cadore; and as far as America was concerned, he could do no more mischief.

When Russell repaired to the Foreign Office, April 28, he was received by the new Minister, who availed himself of his inexperience to ask many questions and to answer none. Russell had a long interview with no results; but this delay mattered little, for the Emperor needed no information. No sooner had he received the Non-Intercourse Act of March 2 than he ordered his Ministers to make a report on the situation of American commerce. The order was due not so much to a wish of hearing what his Ministers had to say as of telling them what they were to report:

The United States have not declared war on England, but they have recognized the Decrees of Berlin and Milan, since they have authorized their citizens to trade with France, and have forbidden them every relation with England. In strict public right, the Emperor ought to exact that the United States should declare war against England; but after all it is in some sort to make war when they consent that the Decree of Berlin should be applied to ships which shall have communicated with England. On this hypothesis, one would say: 'The Decrees of Berlin and Milan are withdrawn as regards the United States; but as every ship which has touched in England, or is bound thither, is a vagrant that the laws punish and confiscate, it may be confiscated in France.' If this reasoning could be established, nothing would remain but to take precautions for admitting none but American products on American ships.

This view of the contract to which American faith was bound, though quite the opposite of Madison's, was liberal compared with its alternative:

Finally, if it should be impossible to trace out a good theory in this system, the best would be to gain time, leaving the principles of the matter a little obscure until we see the United States take sides; for it appears that that Government cannot remain long in its actual situation toward England.

The Emperor's will was law. The Council set itself accordingly to the task of 'leaving the principles of the matter a little obscure' until the United States should declare war against England; while the Emperor, not without reason, assumed that America had recognized the legality of his Decrees.

## CHAPTER SEVENTY-TWO

### *Russia and Sweden*

THE EMPEROR'S DECISION was made known to the American Government by a letter from Bassano to Russell, dated May 4, 1811, almost as curt as a declaration of war:

I hasten to announce to you that His Majesty the Emperor has ordered his Minister of Finance to authorize the admission of the American cargoes which had been provisionally placed in deposit on their arrival in France. I have the honor to send you a list of the vessels to which these cargoes belong; they will have to export their value in national merchandise, of which two-thirds will be in silks. I have not lost a moment in communicating to you a measure perfectly in accord with the sentiments of union and of friendship which exist between the two Powers.

This was all. No imperial decree of repeal was issued or suggested. President Madison cared little for the released ships; he cared only for the principle involved in the continued existence of the Decrees, and Bassano's letter announced by silence, as distinctly as it could have said in words, that the principle of the Decrees was not abandoned.

Russell had the mortification of knowing, almost as well as Bassano himself, the motives that guided the Emperor; and July 13 he recited them to the President in language as strong as propriety allowed:

The temper here toward us is professedly friendly, but unfortunately it is not well proved to be so in practice. It is my conviction, as I before wrote you, that the great object of the actual policy is to entangle us in a war with England.

Even in case of war with England, Russell warned the President to look for no better treatment from Napoleon, who might then consider America as 'chained to the imperial car, and obliged to follow whithersoever it leads.'

Russell made no more efforts, but waited impatiently for the arrival of Joel Barlow, while Napoleon bethought himself only of his favorite means for quieting Madison's anger. August 23, the Emperor ordered Bassano to give his minister at Washington instructions calculated to sharpen the cupidity of the United States. Serurier was to be active in effecting the independence of Spanish America; yet in regard to Florida,

the only Spanish colony in which Madison took personal interest, Napoleon hinted other views to Bassano in a message too curious for omission.

You spoke to me this morning [he wrote August 28] of instructions received by the American chargé on the affair of Florida. You might sinuate the following idea — that in consideration of some millions of piastres, Spain in her present condition of penury would cede the Floridas. Sinuate this, while adding that, though I do not take it ill that America should seize the Floridas, I can in no way interfere, since these countries do not belong to me.

With this touch of character, the great Emperor turned from American affairs to devote all his energies to matters about the Baltic. Yet so deeply were American interests founded in the affairs of Europe that even in the Baltic they were the rock on which Napoleon's destiny split; for the quarrels which in the summer of 1811 became violent between France and the two independent Baltic Powers — Russia and Sweden — were chiefly due to those omnipresent American ships, which thrrove under pillage and challenged confiscation. Madison's wisdom in sending a minister to St. Petersburg was proved more quickly than he could have expected. Between March 1 and November 1, 1811, at one of the most critical moments in the world's history, President Madison had no other full minister accredited in Europe than his envoy to Russia; but whatever mortifications he suffered from Napoleon were more than repaid by means of this Russian mission.

The new minister to Russia, J. Q. Adams, sailed from Boston August 5, 1809, and on arriving at Christiansand in Norway, September 20, he found upward of thirty masters of American vessels whose ships had been seized by Danish privateers between April and August, and were suffering trial and condemnation in Danish prize courts. He reported that the entire number of American ships detained in Norway and Denmark was more than fifty, and their value little less than five million dollars. Adams made what remonstrance he could to the Danish Government, and passed on to Cronstadt, where he arrived October 21, 1809. He found a condition of affairs in Russia that seemed hopeless for the success of his mission. The alliance between Russia and France had reached its closest point. Russia had aided Napoleon to subdue Austria; Napoleon had aided Russia to secure Finland. At his first interview with the Russian Foreign Minister, Adams received official information of these events; and

when he called attention to the conduct of the Danish privateers, Count Roumanzoff, while expressing strong disapprobation of their proceedings, added that a more liberal system was a dream.

The Foreign Minister of Russia, Count Roumanzoff, officially known as Chancellor of the Empire, and its most powerful subject, favored the French alliance. Friendly and even affectionate to America as far as America was a rival of England, Roumanzoff could do nothing for American interests where they clashed with those of France; and Adams soon found that at St. Petersburg he was regarded by France as an agent of England.

Adams's surprise was the greater when, with the discovery of this immense obstacle, he discovered also an equally covert influence at work in his favor, and felt that the protection was stronger than the enmity. By a good fortune almost equal to that which brought Monroe to Paris on April 12, 1803, Adams was officially received at St. Petersburg on October 25, 1809, only two days before the Czar first revolted against Napoleon's authority. Of this revolt, in the mysterious atmosphere of the Russian Court, Adams could know nothing. At the outset, obliged to ask the Czar's interference on behalf of the plundered American merchants in Denmark, he could regard himself only as performing an official duty without hope of more than a civil answer. This was in fact the first result of the request; for when, December 26, 1809, he opened the subject to Roumanzoff, the Chancellor gave him no encouragement. The Danes, he said, had been forced by France to do what they were doing. France viewed all these American ships as British; and 'as this was a measure emanating from the personal disposition of the Emperor of France, he was apprehensive there existed no influence in the world of sufficient efficacy to shake his determination.'

Three days afterward, December 29, Adams saw Roumanzoff again, who told him, with undisguised astonishment, that he had reported to the Czar the American minister's request for interference in Denmark and his own refusal; and that the Czar had thought differently, and had 'ordered him immediately to represent to the Danish Government his wish that the examination might be expedited and the American property restored as soon as possible; which order he had already executed.'

If Adams had consciously intrigued for a rupture between France and Russia, he could have invented no means so effective as to cause the

Czar's interference with Napoleon's control of Denmark; but Adams's favor was far from ending there. The winter of 1809-1810 passed without serious incident, but when spring came and the Baltic opened, the struggle between France and the United States at St. Petersburg began in earnest. Adams found himself a person of much consequence. The French ambassador, Caulaincourt, possessed every advantage that Napoleon and Nature could give him. Handsome, winning, and in all ways personally agreeable to the Czar, master of an establishment more splendid in its display than had been before known even at the splendid Court of St. Petersburg, he enjoyed the privilege, always attached to ambassadors, of transacting business directly with the Czar; while the American minister, of a lower diplomatic grade, far too poor to enter upon the most modest social rivalry, labored under the diplomatic inferiority of having to transact business only through the worse than neutral medium of Roumanzoff.

Already in April, 1810, Adams reported to his Government that the commercial dispute threatened a rupture between France and Russia. On one hand Napoleon's measures would prove ineffectual if Russia admitted neutral vessels, carrying as they would cargoes more or less to the advantage of England; on the other, Russia must become avowedly bankrupt if denied exports and restricted to imports of French luxuries, such as silks and champagnes, to be paid in specie. Russia, at war with Turkey and compelled to maintain an immense army with a depreciated currency, must have foreign trade or perish.

Napoleon wanted nothing better than to cripple Russia as well as England, and was not disposed to relax his system for the benefit of Russian military strength. During the summer of 1810 he redoubled his vigilance on the Baltic. Large numbers of vessels, either neutral or pretending to be neutral, entered the Baltic under the protection of the British fleet. Napoleon sent orders that no such vessels should be admitted.

Thus the American trade became the apparent point of irritation between Alexander and Napoleon. The Russians were amused by Cadore's letter to Armstrong of August 5, saying that the Decrees were revoked and that Napoleon loved the Americans; for they knew what Napoleon had done and was trying to do on the Baltic. The Czar was embarrassed and harassed by the struggle; for the American ships, finding themselves

safe in Russian ports, flocked to Archangel and Riga, clamoring for special permission to dispose of their cargoes and to depart before navigation closed, while Napoleon insisted on their seizure and left no means untried of effecting it.

In the heat of this controversy, Adams was obliged to ask, as a favor to the United States, that special orders might be given on behalf of the American vessels at Archangel. As before, Roumanzoff refused; and once more the Czar directed that the special orders should be given.

Adams then saw the full bearing of the struggle in which he was engaged. He had every reason to be anxious, for Napoleon used diplomatic weapons as energetically as he used his army corps. Napoleon sent orders to Prussia, under threat of military occupation, to stop all British and colonial merchandise; and the following week, October 23, he wrote with his own hand to the Czar a letter of the gravest import:

Six hundred English merchant vessels which were wandering in the Baltic have been refused admission into Mecklenburg and Prussia, and have turned toward Your Majesty's States. . . . All this merchandise is on English account. It depends on Your Majesty to obtain peace [with England] or to continue the war. Peace is and must be your desire. Your Majesty is certain to obtain it by confiscating these six hundred ships or their cargoes. Whatever papers they may have, under whatever names they may be masked — French, German, Spanish, Danish, Russian, Swedish — Your Majesty may be sure that they are English.

Napoleon intended to force Russia into a dilemma, and he succeeded. The Czar, pressed beyond endurance, at last turned upon Napoleon with an act of defiance that startled and delighted Russia. December 1, Roumanzoff communicated to Caulaincourt the Czar's refusal to seize, confiscate, or shut his ports against colonial produce. At about the same time the merchants of St. Petersburg framed a memorial to the Imperial Council, asking for a general prohibition of French luxuries as the only means of preventing the drain of specie and the further depreciation of the paper currency. On this memorial a hot debate occurred in the Imperial Council. Roumanzoff opposed the measure as tending to a quarrel with France; and when overruled, he insisted on entering his formal protest on the journal. The Czar acquiesced in the majority's decision, and December 19 the Imperial ukase appeared, admitting American produce

on terms remarkably liberal, but striking a violent blow at the industries of France.

Napoleon replied by recalling Caulaincourt and by sending a new ambassador, Count Lauriston, to St. Petersburg, carrying with his credentials an autograph letter to the Czar.

Your Majesty's last ukase [said this letter], in substance, but particularly in form, is directed specially against France. In other times, before taking such a measure against my commerce, Your Majesty would have let me know it, and perhaps I might have suggested means which, while accomplishing your chief object, might still have prevented it from appearing a change of system in the eyes of France. All Europe has so regarded it; and already, in the opinion of England and of Europe, our alliance exists no longer. If it were as entire in Your Majesty's heart as in mine, this general impression would be none the less a great evil.... For myself, I am always the same; but I am struck by the evidence of these facts, and by the thought that Your Majesty is wholly disposed, as soon as circumstances permit it, to make an arrangement with England, which is the same thing as to kindle a war between the two empires.

Adams's diplomatic victory was Napoleonic in its magnitude and completeness. Even Caulaincourt, whom he overthrew, good-naturedly congratulated him after he had succeeded, against Caulaincourt's utmost efforts, in saving all the American ships. 'It seems you are great favorites here; you have found powerful protection,' said the defeated ambassador. The American minister felt but one drawback — he could not wholly believe that his victory was sure. Anxious by temperament, with little confidence in his own good fortune — fighting his battles with energy, but rather with that of despair than of hope — the younger Adams never allowed himself to enjoy the full relish of a triumph before it staled, while he never failed to taste with its fullest flavor, as though it were a precious wine, every drop in the bitter cup of his defeats. In this, the most brilliant success of his diplomatic career, he could not be blamed for doubting whether such fortune could last. That the Czar of Russia should persist in braving almost sure destruction, in order to defend American rights which America herself proclaimed to be unassailed, passed the bounds of fiction.

American vessels swarmed in Russian ports. In July, 1811, Adams wrote that two hundred American ships had already arrived, and that Russia was glutted with colonial goods until the cargoes were unsalable

at any price, while the great demand for return cargoes of Russian produce had raised the cost of such articles to extravagance. America enjoyed a monopoly of the Baltic trade; and Adams's chief difficulty, like that of Napoleon, was only to resist the universal venality which made of the American flag a cover for British smuggling. Adams seemed unable to ask a favor which the Czar did not seem eager to grant; for in truth the result of admitting American ships pleased the friendly Czar and his people, who obtained their sugar and coffee at half cost and sold their hemp and naval stores at double prices.

The Russians knew well the price they were to pay in the end, but in the meantime Napoleon became more and more pacific. If war was to come in 1811, everyone supposed it would be announced in the French Emperor's usual address to his legislative body, which opened its session June 16. The Address was brought in hot haste by special courier to St. Petersburg; but to the surprise of everyone it contained no allusion to Russia. As usual, Napoleon pointed in the direction he meant not to take, and instead of denouncing Russia, he prophesied disaster to the victorious English in Spain:

When England shall be exhausted; when she shall have felt at last the evils that she has for twenty years poured with so much cruelty over the Continent; when half of her families shall be covered by the funeral veil — then a thunder-stroke will end the peninsula troubles and the destinies of her armies, and will avenge Europe and Asia by closing this second Punic war.

This Olympian prophecy meant only that Napoleon, for military reasons, preferred not to invade Russia until 1812. As the question of neutral trade was but one of the pretexts on which he forced Russia into war, and as it had served its purpose, he laid it aside. He closed the chapter August 25 by directing his ambassador, Lauriston, to cease further remonstrance.

War for the spring of 1812 was certain. So much harm, at least, the Americans helped to inflict on Napoleon in return for the millions he cost them; but even this was not their whole revenge.

The example of Russia found imitation in Sweden, where Napoleon was most vulnerable. Owing to a series of chances, Bernadotte, who had happened to attract the attention of the Swedes, was made Prince of

Sweden in October, 1810, and immediately assumed the government of the kingdom. Bernadotte as an old republican, like Lucien Bonaparte, never forgave Napoleon for betraying his party, and would long since have been exiled like Moreau had he not been the brother-in-law of Joseph and a reasonably submissive member of the imperial family. Napoleon treated him as he treated Louis, Lucien, Joseph, Jerome, Eugene, and Joachim Murat — loading them with dignities, but exacting blind obedience; and instantly on the new King's accession the French minister informed him that he must within five days declare war on England. Bernadotte obeyed. Napoleon next required the confiscation of English merchandise and the total stoppage of relations between Sweden and England. As in the case of Holland and the Baltic Powers, this demand included all American ships and cargoes, which amounted to one-half of the property to be seized. Bernadotte either could not or would not drag his new subjects into such misery as Denmark and Holland were suffering; and within five months after his accession, he already found himself threatened with war.

In the case of Russia, American commerce was but one though a chief cause of rupture; but in the case of Sweden it seemed to be the only cause. Napoleon wrote to Bassano: 'If the Swedish Government does not renounce the system of escorting by its armed ships the vessels which English commerce covers with the American flag, you will order the chargé d'affaires to quit Stockholm with all the legation.' He returned again and again to the grievance; 'If Sweden does not desist from this right of escorting American ships which are violating the Decrees of Berlin and Milan, and maintains the pretension to attack my privateers with her ships-of-war, the chargé d'affaires will quit Stockholm. I want to preserve peace with Sweden — this wish is palpable — but I prefer war to such a state of peace.'

Once more the accent of truth sounded in these words of Napoleon. He could not want war with Sweden, but he made it because he could not otherwise enforce his Berlin and Milan Decrees against American commerce. Although a part of that commerce was fraudulent, Napoleon, in charging fraud, wished to condemn not so much the fraudulent as the genuine. In order to enforce his Berlin and Milan Decrees against American commerce he was about to overturn the world.

This was the situation when Joel Barlow, the new American minister

to France, arrived at Paris September 19, 1811, bringing instructions dated July 26, the essence of which was contained in a few lines.

It is understood [said the President] that the blockade of the British Isles is revoked. The revocation having been officially declared, and no vessel trading to them having been condemned or taken on the high seas that we know of, it is fair to conclude that the measure is relinquished. It appears, too, that no American vessel has been condemned in France for having been visited at sea by an English ship, or for having been searched or carried into England, or subjected to impositions there. On the sea, therefore, France is understood to have changed her system.

Of all the caprices of politics, this was the most improbable — that at the moment when the Czar of Russia and the King of Sweden were about to risk their thrones and to face the certain death and ruin of vast numbers of their people in order to protect American ships from the Berlin and Milan Decrees, the new minister of the United States appeared in Paris authorized to declare that the President considered those Decrees to be revoked and their system no longer in force.

## CHAPTER SEVENTY-THREE

### *Pinkney's Inamicable Leave*

RARELY HAD A GREAT NATION approached nearer than England to ruin without showing consciousness of danger. Napoleon's boast to his Chamber of Commerce, that within ten years he would subject his rival, was not ill-founded. The conquest of Russia, which Napoleon meant to make certain, combined with a war between the United States and Great Britain, coming immediately upon the destruction of private credit and enterprise in 1810, could hardly fail to shake the British Empire to its foundation; and perhaps the worst sign of danger was the absence of popular alarm. The capital and credit on which England's power rested were swept away; the poorer classes were thrown out of employment; the price of wheat in 1810 rose to one hundred and twelve shillings, or about three dollars and a half a bushel; while abroad, the Spanish Peninsula was subdued by Napoleon, whose armies occupied every part of Spain and Portugal except Cadiz and Lisbon. Sweden, the last neutral in Europe, elected a French general of Bonaparte's family as King, and immediately afterward declared war on England; and the United States closed their ports to British commerce and menaced a declaration of war. The exports of Great Britain fell off one-third in the year 1811.

When November arrived, the day on which Napoleon's Decrees stood revoked according to the Duc de Cadore, Pinkney acted in London on his own responsibility, as Madison acted at Washington, and sent to Lord Wellesley a note, dated November 3, asking for an immediate repeal of the British Orders in Council, on the ground that Napoleon's revocation had taken effect. 'That it has taken effect cannot be doubted,' he said; but he offered no evidence to support his assertion. He also assumed that England was bound to withdraw Fox's blockade of the French coast from Brest to the Elbe, as well as Spencer Perceval's subsequent measures which were called into existence by Napoleon's Continental system, and were to cease with it.

At that moment Lord Wellesley was full of hope that at last he should remove Spencer Perceval from his path. Everyone supposed, and had good ground for believing, that the Prince of Wales would at once form a

new Government, with Wellesley and the Whigs for its support. At such a crisis Wellesley could not expect or indeed wish to effect a partial and sudden change of foreign policy. He waited a month before taking official notice of Pinkney's letter, and when he replied, December 4, said only that 'after the most accurate inquiry' he had been unable to obtain any authentic intelligence of the French repeal, and begged the American minister to furnish whatever information he possessed on the subject.

The American minister possessed no information on the subject, but he received, December 11, news of the President's proclamation founded on the French repeal, and was the more decided to insist on his ground. Pinkney maintained that the French Decrees were revoked and that Fox's blockade was illegal. Neither position was beyond attack.

England held that Fox's blockade of May, 1806, covering the French coast from the Elbe to Brest, was a lawful blockade, supported by a particular naval force detached for that special purpose and sufficient for its object, until the blockade itself was merged in the avowedly extra-legal paper blockades of 1809; and that if the paper blockades were withdrawn, Great Britain had the right to re-establish Fox's blockade with an efficient naval force to execute it.

When Wellesley, December 4, 1810, asked for evidence that Napoleon's Decrees were repealed, Pinkney replied, in a long note dated December 10, that Cadore's letter of August 5 stated two disjunctive conditions of repeal — the first depending on Great Britain, the last on the United States; that, although Great Britain had not satisfied the first condition, the United States would undoubtedly satisfy the last; therefore, the French Decrees stood repealed. This proposition, not even easy to understand, was supported by a long argument showing that Cadore could not without absurdity have meant anything else.

The argument might have escaped ridicule had not Jonathan Russell been engaged at the same moment in remonstrating with the Duc de Cadore because the *New Orleans Packet* had been seized at Bordeaux under the Berlin and Milan Decrees; and had not the *Moniteur*, within a week, published Cadore's official report, declaring that the Decrees would never be repealed as long as England maintained her blockades; and had not the Comte de Semonville, within another week, announced in the French Senate that the Decrees were the palladium of the seas.

Wellesley answered Pinkney, December 29, in a note comparatively

short, and more courteous than any important State paper that had come from the British Government since Fox's death.

If nothing more had been required from Great Britain than the repeal of our Orders in Council [he said], I should not have hesitated to declare the perfect readiness of this Government to fulfill that condition. On these terms the Government has always been sincerely disposed to repeal the Orders in Council. It appears, however, not only by the letter of the French minister, but by your explanation, that the repeal of the Orders in Council will not satisfy either the French or the American Government. The British Government is further required by the letter of the French minister to renounce those principles of blockade which the French Government alleges to be new.... On the part of the American Government, I understand you to require that Great Britain shall revoke her Order of Blockade of May, 1806.

Wellesley declined to entertain this demand. He appealed to the justice of America not to force an issue on such ground, and he protested that the Government retained an anxious solicitude to revoke the Orders in Council as soon as the Berlin and Milan Decrees should be effectually repealed, without conditions injurious to the maritime rights of Great Britain.

To this declaration Pinkney replied, January 14, 1811, in a letter defending his own position and attacking the good faith of the British Government. The American note of January 14, written in a tone that had not hitherto been taken in London, was coupled with a notice that brought the two Governments in presence of the long-threatened rupture. Pinkney informed Lord Wellesley that as the British Government, after a lapse of many months, had taken no steps to carry out the assurance of sending a new minister to Washington, the United States Government could not retain a minister at London. Therewith Pinkney requested an audience of leave.

For the moment, as Pinkney knew, his request could not be granted, because the King was insane and could give audience to no one. Since November 1, 1810, Parliament had done no other business than such as related to the regency; yet on January 14, 1811, when Pinkney's two notes were written, the Regency Bill had not been brought before the Commons. Introduced on the following day, Parliament showed extraordinary energy by making it law in little more than a fortnight; yet

the Prince Regent, who took the oaths February 6, still required time to settle his Government.

Everything depended on the Prince Regent's action. Had he followed the expected course — had he dismissed Spencer Perceval, and put himself in the hands of Wellesley, Grenville, Grey, and Holland — the danger of an American war might possibly have vanished. The Orders in Council might have been withdrawn, the *Chesapeake* affair might have been settled, a friendly minister would have been sent to Washington, and the war party in the Twelfth Congress would have been thrown into a minority. After much maneuvering, the Prince of Wales at last avowed his decision. February 4 he wrote to Spencer Perceval, announcing the wish, wholly in deference to the King's feelings, that the late Ministers should remain in charge of the Government. The Whigs were once more prostrated by this desertion, and the Marquess Wellesley abandoned his last hope of saving the Government from Perceval's control.

The effect of the Prince Regent's course was instantly felt. His letter to Perceval was written February 4; he assumed the royal office February 6; and February 11, Wellesley was able to answer Pinkney's note on blockades.

France requires [said he] that Great Britain shall not only repeal the Orders in Council, but renounce those principles of blockade which are alleged in the same letter to be new — an allegation which must be understood to refer to the introductory part of the Berlin Decree. If Great Britain shall not submit to those terms, it is plainly intimated in the same letter that France requires America to enforce them. To these conditions His Royal Highness, on behalf of His Majesty, cannot accede. No principles of blockade have been promulgated or acted upon by Great Britain previously to the Berlin Decree which are not strictly conformable to the rights of civilized war and to the approved usages and laws of nations. . . . I am commanded to inform you that His Royal Highness cannot consent to blend the question which has arisen upon the Orders in Council with any discussion of the general principles of blockade.

In a note of two lines, Pinkney replied that he had no inducement to trouble his Lordship further on the subject. The same day he received a notice that the Prince Regent would hold his first diplomatic levee February 19; but instead of accepting the invitation, Pinkney wrote with the same brevity to ask at what time the Prince Regent would do him the honor to give his audience of leave.

This abrupt course brought the Government partially to reason. Within forty-eight hours Wellesley wrote to Pinkney a private letter of apology for the delay in appointing a minister to Washington and of regret that this delay should have been misunderstood; he announced that Augustus J. Foster, late British minister in Sweden, would be immediately gazetted as minister to the United States. With this private letter, Lord Wellesley sent an official notice that the Prince Regent would receive Mr. Pinkney February 19, by his desire, for an audience of leave.

Pinkney instantly claimed his audience of leave for February 28, declining, in the meantime, to attend the diplomatic levee which by postponement took place only February 26. His conduct was noticed and understood, as he meant it should be; and as his audience still remains the only occasion when an American minister at London has broken relations in a hostile manner, with resulting war, it has an interest peculiar to itself. Pinkney's official report recorded the words used by him:

I stated to the Prince Regent the grounds upon which it had become my duty to take my leave and to commit the business of the Legation to a chargé d'affaires: and I concluded by expressing my regret that my humble efforts in the execution of the instructions of my Government to set to rights the embarrassed and disjointed relations of the two countries had wholly failed; and that I saw no reason to expect that the great work of their reconciliation was likely to be accomplished through any other agency.

- According to Pinkney, and according to the official report of Lord Wellesley, the Prince Regent replied in terms of the utmost amity toward the United States.

So closed Pinkney's residence in London. He had passed there nearly five years of such violent national hostility as no other American minister ever faced during an equal length of time or defied at last with equal sternness; but his extraordinary abilities and character made him greatly respected and admired while he stayed and silenced remonstrance when he left. For many years afterward, his successors were mortified by comparisons between his table oratory and theirs. As a writer he was not less distinguished. Canning's impenetrable self-confidence met in him powers that did not yield, even in self-confidence, to his own; and Lord Wellesley's Oriental dignity was not a little ruffled by Pinkney's handling. As occasion required, he was patient under irritation that

seemed intolerable, as aggressive as Canning himself, or as stately and urbane as Wellesley; and even when he lost his temper, he did so in cold blood, because he saw no other way to break through the obstacles put in his path. America never sent an abler representative to the Court of London.

Pinkney sailed from England a few weeks afterward, leaving in charge of the Legation John Spear Smith, a son of Senator Samuel Smith, who had been for a time attached to the Legation at St. Petersburg; had thence traveled to Vienna and Paris, where he received Pinkney's summons to London — the most difficult and important diplomatic post in the world.

On the renewal of trade between America and France, the British navy renewed its blockade of New York. If nothing more had happened, the recurrence of this vexation would alone have gone far to destroy the hopes of diplomacy; but this was not all.

The *Melampus* reappeared, having for a companion the *Guerrière*, commanded by Captain Dacres, and supposed to be one of the best British frigates of her class. Early in May, when Foster sailed from England, these cruisers, lying off Sandy Hook, began to capture American vessels bound for France and to impress American sailors at will. No sooner did these complaints reach Washington than Secretary Hamilton, May 6, ordered Commodore John Rodgers, whose flagship, the forty-four-gun frigate *President*, was lying at Annapolis, to sail at once to protect American commerce from unlawful interference by British and French cruisers. Rodgers sailed from Annapolis May 10, and May 14 passed the capes. The scene of the *Chesapeake's* unredressed outrage lay some fifteen or twenty miles to the southward, and the officers and crew of the *President* had reason to think themselves expected to lose no fair opportunity of taking into their own hands the redress which the British Government denied. For the past year Rodgers had carried orders 'to vindicate the injured honor of our navy and revive the drooping spirits of the nation; . . . to maintain and support at any risk and cost the honor' of his flag; and these orders were founded chiefly on 'the inhuman and dastardly attack on our frigate *Chesapeake* — an outrage which prostrated the flag of our country and has imposed on the American people cause of ceaseless mourning.'

Rodgers was bound for New York, but on the morning of May 16 was still about thirty miles from Cape Charles and eighteen miles from the

coast when toward noon he saw a ship to the eastward standing toward him under a press of canvas. As the vessel came near, he could make her out from the shape of her upper sails to be a man-of-war: he knew of no man-of-war except the *Guerrière* on the coast; the newcomer appeared from the quarter where that frigate would be locked for and Rodgers reasoned that in all probability she was the *Guerrière*.

Until quarter before two o'clock in the afternoon the ships stood toward each other. The stranger showed no colors, but made signals, until finding them unanswered, she changed her course and stood to the southward. Rodgers then made sail in chase, his colors and pennant flying. At quarter before eight, Rodgers ordered his acting commandant to bring the *President* to windward of the supposed frigate within speaking distance — a maneuver which naturally caused the stranger uneasiness, so that she wore three times to prevent the *President* from getting under her stern. At half-past eight, according to the American account, the *President* rounded to, within pistol-shot. By the dim light Rodgers saw the supposed *Guerrière*, her maintopsail to the mast, waiting with apparent confidence the next act of the audacious American frigate which had chased a British man-of-war all day, and had at last run up close to windward — a maneuver which British frigates were disposed to resent.

Rodgers reported that, while rounding to, he hailed the unknown vessel through his trumpet, calling out: 'What ship is that?' The question, 'What ship is that?' was immediately echoed back. Rodgers had time to tell his acting captain that the *President* was forging too fast ahead, before he hailed again: 'What ship is that, I say?' Instantly a flash was seen from the dark where the stranger's hull lay, and a double report told that the ball had struck the *President*, lodging in the mainmast. Taken by surprise, Rodgers turned to his commandant of marines and asked, 'What the devil was that?' but before he gave an order, his third lieutenant, Alexander James Dallas, who was watching at the first port forward of the gangway and saw the flash, leaped to one of the guns in his division and discharged. The *Chesapeake's* disaster had done away with the old-fashioned loggerheads and matches; the *President's* guns were fitted with locks and were discharged in an instant. Immediately afterward three guns were fired by the enemy, and the report of muskets was heard. Then Rodgers gave the order to fire, and the *President* opened with a whole broadside, followed by another. In about five minutes the enemy seemed

to be silenced, and Rodgers gave the order to cease firing; but some three minutes afterward the stranger opened again, and the *President* resumed fire until she desisted. From the *President's* deck enough could be seen of the enemy's behavior to prove that whoever she might be, she was not the *Guerrière*; and Rodgers then made the remark that either she had received some unfortunate shot at the outset or she was a vessel of force very inferior to what he had taken her for — although she was still supposed to be nothing less than a thirty-six-gun frigate. Disabled she certainly was, for she lay ungovernable, with her bow directly under the *President's* broadside.

Rodgers hailed once more, and understood the stranger to answer that she was a British ship-of-war, in great distress. At nine o'clock at night the *President* began to repair damages, and beat about within reach, on different tacks, with lights displayed, until daybreak, when she ran down to the British vessel and sent a boat on board. Then at last Rodgers learned, certainly to his great disappointment, that he had been fighting a single-decked vessel of less than half his force. His mistake was not so surprising as it seemed. The British cruiser might easily at a distance, or in the dark, be taken for a frigate. Her great length; her poop, top-gallants, forecastle; her deep bulwarks; the manner of stowing her hammocks; and room on each side to mount three more guns than she actually carried — were decisive to anyone who could not see that she carried but one tier of guns.

The news met Foster on his arrival at Norfolk, a few weeks afterward, and took away his only hope of a cordial reception. His instructions intended him to conciliate good-will by settling the *Chesapeake* outrage, while they obliged him to take a tone of refusal or remonstrance on every other subject; but he found, on arriving, that the Americans cared nothing for reparation of the *Chesapeake* outrage, since Commodore Rodgers had set off against it an outrage of his own, and had killed four men for everyone killed by Captain Humphries. Instead of giving redress, Foster found himself obliged to claim it.

July 2, Foster was formally received by the President; and the same day, as though he had no other hope but to take the offensive, he began his official correspondence by a letter on the seizure of West Florida, closing with a formal notice that if the United States persevered in their course, his orders required him to present the solemn protest of his Gov-

ernment 'against an attempt so contrary to every principle of public justice, faith, and national honor.'

Monroe resented the assertion that West Florida belonged to Spain, for his character as a man of sense, if not of truth, was involved in the assertion that he had himself bought West Florida in his Louisiana Purchase. Yet the mildness of his reply to Foster's severe protest proved his earnest wish to conciliate England. In a note of July 8 he justified the seizure of West Florida by the arguments already used, and offered what he called a 'frank and candid explanation' to satisfy the British Government.

The Secretary of State seemed a transformed man. Not only did he show no dread of interference from England in Florida, but he took an equally indifferent air on every other matter except one. He said not a word about impressments; he betrayed no wish to trouble himself about the *Chesapeake* affair; he made no haste in apologizing for the attack on the *Little Belt*; but the Orders in Council — these, and nothing else — formed the issue on which a change of policy was to depend.

Precisely on the Orders in Council, Foster could offer no hope of concession or compromise. So far from withdrawing the Orders, he was instructed to require that the United States should withdraw the Non-Intercourse Act, under threat of retaliation; and he carried out his instructions to the letter.

The issue was narrowed to the Orders in Council retaliatory on Bonaparte's Decrees, and intended to last only as long as those Decrees lasted. Foster appealed to Napoleon's public and official language to prove that those Decrees were still in force, and therefore that the United States Government could not, without making itself a party to Napoleon's acts and principles, demand a withdrawal of the British Orders. If the Orders were not to be withdrawn because they were illegal, they ought not to be withdrawn on the false excuse that Napoleon had withdrawn his Decrees.

For the moment, Monroe made no written reply to Foster's letter of July 3; he was tormented by the crisis of his career, and Foster ceased to be important from the moment he could do nothing toward a repeal of the Orders. With the usual misfortune of British diplomatists, Foster became aggressive as he lost ground and pushed the Secretary vigorously into Napoleon's arms. July 14, Foster wrote again, in a threatening tone,

that measures of retaliation for the Act of March 2 were already before his Government, and if America persisted in her injurious course of conduct, the most unfriendly situation would result. While this threat was all that England offered for Monroe's friendship, news arrived on the same day that Napoleon, May 4, had opened his ports to American commerce. Not till then did Monroe give way, and turn his back upon England and his old political friends. The course taken by Foster left no apparent choice; and for that reason chiefly Monroe, probably with many misgivings, abandoned the theory of foreign affairs which had for five years led him into so many mortifications at home and abroad.

July 23, Monroe sent his answer to the British minister's argument. In substance this note, though long, contained nothing new; but in effect it was an ultimatum which left England to choose between concession and war. Foster's remonstrance in regard to the *Little Belt* called from Monroe a tart reference to the affair of the *Chesapeake*, and a refusal to order an inquiry, as a matter of right, into the conduct of Commodore Rodgers. He showed equally little disposition to press for a settlement of the *Chesapeake* affair. Foster had been barely two weeks at Washington when he summed up the result of his efforts in a few words:

On the whole, their view in this business [of the *Little Belt*] is to settle this, with every other difference, in the most amicable manner, provided His Majesty's Orders in Council are revoked; otherwise, to make use of it, together with all other topics of irritation, for the purpose of fomenting a spirit of hatred toward England, and thereby strengthening their party.

Monroe took charge of the State Department April 1, and within a few days Serurier became unpleasantly conscious of the change. He still met with civility, but he felt new hesitation. Joel Barlow had been appointed minister to France, and should have started instantly for his post. Yet Barlow lingered at Washington; and when Serurier asked the reason of the delay, Monroe merely said he was waiting for the arrival of the frigate *Essex* with dispatches from France and England to the middle of April. The expected dispatches did not arrive until July; and in the interval Serurier passed a season of discomfort. The new Secretary of State, unlike his predecessor, showed no admiration for Napoleon. Toward the end of June, the French consuls in the United States made known that they were still authorized and required by the Emperor to issue permits or certificates to American vessels destined for France.

Serurier tried in vain to soothe the Secretary; Monroe was not to be appeased. As causes of grievance multiplied, the Secretary gathered one after another, evidently to be used for a rupture with France. Each stage toward his end he marked by the regular shade of increasing displeasure that he had himself, as a victim, so often watched. Enjoying the pleasure of doing to others what Cevallos and Harrowby, Talleyrand and Canning, had done to him, Monroe, familiar with the accents of the most famous school in European diplomacy, ran no risk of throwing away a single tone.

When the Secretary told Serurier that Joel Barlow's departure depended on the news to be brought by the *Essex*, he did not add that he was himself waiting for the arrival of Foster, the new British minister; but as it happened, Foster reached Washington July 1, at the same instant with the dispatches brought by the *Essex*. The crisis of Serurier's diplomatic fortune came with the arrival of Foster, and during the next two weeks the French minister passed through many uncomfortable scenes. He knew too little of American affairs to foresee that not himself, but Monroe, must in the end be the victim. As soon as the *Essex* was announced, bringing William Pinkney from London and Jonathan Russell's dispatches from Paris, Serurier called at the Department to learn what Monroe had to say. 'I found him icy; he told me that, contrary to all the hopes of the Government, the *Essex* had brought nothing decisive, and asked if I was more fortunate.' Serurier had dispatches, but they were emphatic in forbidding him to pledge himself in regard to the Emperor's course.

Thinking that he had nothing to lose, the French minister took a high tone, and July 3, through a private channel, conveyed to the President a warning that the course threatened might lead too far.

The person in question having answered that I might depend on the Government's fidelity to its engagements, I replied that I would believe it all if the new American minister should be dispatched to Paris and that I would believe nothing if this departure were again postponed.

Everything depended on Foster, who had been received by the President July 2, the day before Serurier's message was sent. Apparently, the first impression made by Foster's letters and conversation was decisive, for Monroe told the French minister, at the public dinner of July 4, that Barlow was to start at once on his mission.

No sooner had this decision been made than Monroe seemed to repent it. The conduct of France had been of late more outrageous than that of England; and Monroe, who found his worst expectations fulfilled, could not easily resign himself to accepting a yoke against which he had for five years protested. The departure of Barlow, ordered July 4, was countermanded July 5; and this proof of Monroe's discontent led to a striking interview, July 9, in which the Secretary of State became more impassioned than ever. Serurier began by asking what he was to think of the Government's conduct. Monroe replied by recalling what had happened since the appointment of Barlow as minister to France, a fortnight after Serurier's arrival. Then the proclamation of November 2 had been supposed sufficient to satisfy the Emperor; the Non-Intercourse Act followed — yet the President was still waiting for the assurance that the French Decrees were repealed, without which knowledge Barlow's instructions could not be written.

So we reached the day when the *Essex* arrived [continued Monroe]. Not an officer of the Government, not a citizen in the Republic, but was convinced that this frigate brought the most satisfactory and the most decisive news. Yet to our great astonishment — even to our confusion — she has brought nothing. In spite of a deception so afflicting, the President had still decided to make a last attempt, and this was to send off Mr. Barlow. I had the honor to announce it to you; but on the news of our frigate's arrival without satisfactory information from France, a general cry of discontent rose all over the Republic, and public opinion pronounced itself so strongly against Mr. Barlow's departure that the Government can today no longer give the order without raising from all parts of the Union the cry of treason.

Monroe's objection seemed reasonable. The sending a new minister to France was in no way necessary for making an issue with England. Indeed, if only a simple issue with England had been wanted, the permanent presence of British frigates off Sandy Hook, capturing American vessels and impressing American seamen, was sufficient. No further protest against it needed to be made, seeing that it had been the subject of innumerable protests. If President Madison wanted an issue that should oblige Great Britain to declare war, or to take measures equivalent to war, he could obtain it in a moment by ordering Rodgers and Decatur to drive the British frigates away and rescue their victims. For such a pur-

pose he needed no minister in France, and had no occasion to make himself a party to fraud. Monroe's language implied that he would have preferred some such issue.

Yet Monroe found himself in an attitude not flattering to his pride. All his life a representative of the Virginia school — more conservative than Jefferson, and only to be compared with John Randolph and John Taylor of Caroline — he had come to the State Department to enforce his own principles and overrule the President; but he found himself helpless in the President's hands. That the contest was in reality between Monroe's will and Madison's became clear to Serurier; and that Monroe's pliable nature must succumb to Madison's pertinacity, backed as it was by authority, could not be doubtful.

The Secretary waited only for a pretext to accept Madison's dogma that the French Decrees were withdrawn, although his conversations with Serurier proved his conviction to the contrary. A few days later, a vessel arrived from England bringing unofficial news from France, to May 24, that the Emperor had released the American vessels kept in sequestration since November 1, and had admitted their cargoes for sale. Without the form of further struggle, Monroe followed the footsteps of his predecessor.

The Secretary of State sent for me three days ago to his office [wrote Serurier, July 20]. After having congratulated me on this decision [of the Emperor], he told me that he had no doubt of its producing on the public the same excellent impression it had made on the Government; but he added that, as it was not official, the President would like to have me write a letter as confirmative as possible, in the absence of instructions, both of these events and of His Majesty's good intentions; and that if I could write him this letter, Mr. Barlow should immediately depart.

The only instructions possessed by Serurier on the subject of the Decrees warned him against doing what Monroe asked; but the temptation to win a success was strong, and he wrote a cautious letter, dated July 19, saying that he had no official knowledge on the subject, but that 'it is with reason, sir, that you reject the idea of a doubt on the fidelity of France in fulfilling her engagements; for to justify such a doubt one must have some contradictory facts to cite — one must show that judgments have been rendered in France on the principle of maintaining the Decrees of Berlin and Milan, or that a series of American ships coming

from England to America, or from America to England, have been captured by our privateers in virtue of the blockade of the British Isles. Nothing of the sort has become known to any of us, and, on the contrary,' all advices showed that the Decrees in France and on the ocean had ceased to affect American commerce.

Probably this letter disappointed the President, for it was never published, nor was any allusion made to it in the correspondence that followed. Without even such cover, Monroe ordered Barlow to depart and made the decision public. Serurier, puzzled though delighted by his success, groped in the dark to discover how the Government had reached its decision. In truth, Madison did not want a distinct issue of peace or war with England. Had he wished for such an issue, he would have made it. Disbelieving in war, as war approached he clung to the last chances of peaceful coercion. The fiction that Napoleon's Decrees were repealed enabled him to enforce his peaceful coercive measures to avoid war. Not because he wanted war, but because he wanted peace, Madison insisted that the Decrees were withdrawn. As he carried each point, he stood more and more alone; he was misunderstood by his enemies and overborne by his friends; he failed in his policy of peace, and knew himself unfit to administer a policy of war; yet he held to his principle, that commercial restrictions were the true safeguards of an American system.

A man of keen intelligence, Madison knew, quite as well as Monroe, Serurier, or Foster, that the French Decrees were not repealed. His alleged reason for dispatching Barlow was unsatisfactory to himself as to Monroe, and doubly worthless because unofficial. Even while he insisted on his measures, he made no secret of his discontent. When official dispatches arrived a few days later, Serurier was puzzled at finding Madison well aware that the Emperor had not withdrawn and did not mean to withdraw his Decrees.

Under such circumstances, Monroe needed more than common powers in order to play his part. Talleyrand himself would have found his impulsive countenance tried by assuring Foster in the morning that the Decrees were repealed and rating Serurier in the afternoon because they were in force. Such conversations, extended over a length of time, might in the end raise doubts of a statesman's veracity; yet this was what Monroe undertook. On the day when Serurier communicated the news that disturbed the President, Monroe sent to the British minister the note

maintaining broadly that France had revoked her Decrees. Three days later, after the President had told Serurier that 'the failure to execute the chief of our engagements destroyed the effect of all the rest,' Monroe gave to Barlow his instructions founded on the revocation of the Decrees. Doubtless this double-dealing exasperated all the actors concerned in it. Madison and Monroe at heart were more angry with France than with England, if indeed degrees in anger could be felt where the outrages of both parties were incessant and intolerable. Yet Barlow took his instructions and set sail for France; a proclamation appeared in the *National Intelligencer* calling Congress together for November 1; and the President and his Secretary of State left Washington for their summer vacation in Virginia, having accepted, once for all, the conditions imposed by Napoleon.

## CHAPTER SEVENTY-FOUR

*Harrison and Tecumthe*

ALTHOUGH NO ONE DOUBTED that the year 1812 was to witness a new convulsion of society, if signs of panic occurred they were less marked in crowded countries where vast interests were at stake than in remote regions which might have been thought as safe from Napoleon's wars as from those of Genghis Khan. As in the year 1754 a petty fight between two French and English scouting parties on the banks of the Youghiogheny River, far in the American wilderness, began a war that changed the balance of the world, so in 1811 an encounter in the Indian country, on the banks of the Wabash, began a fresh convulsion which ended only with the fall of Napoleon. The battle of Tippecanoe was a premature outbreak of the great wars of 1812.

Governor William Henry Harrison, of the Indiana Territory, often said he could tell by the conduct of his Indians, as by a thermometer, the chances of war and peace for the United States as estimated in the Cabinet at London. The Indiana Territory was created in 1800; and the former delegate of the whole Northwestern Territory, William Henry Harrison, was then appointed Governor of the new division. The Indiana settlement consisted mainly of two tracts — one on the Ohio, opposite Louisville in Kentucky, at the Falls, consisting of about one hundred and fifty thousand acres, called Clark's Grant; the other, at Vincennes on the Wabash, where the French had held a post, without a definite grant of lands, under an old Indian treaty, and where the Americans took whatever rights the French enjoyed. One hundred miles of wilderness separated these two tracts. In 1800, their population numbered about twenty-five hundred persons; in 1810, nearly twenty-five thousand.

Northward and westward, from the bounds of these districts the Indian country stretched to the Lakes and the Mississippi, unbroken except by military posts at Fort Wayne and Fort Dearborn, or Chicago, and a considerable settlement of white people in the neighborhood of the fortress at Detroit. Some five thousand Indian warriors held this vast region, and were abundantly able to expel every white man from Indiana if their organization had been as strong as their numbers. The whites were equally eager to expel the Indians, and showed the wish openly.

No acid ever worked more mechanically on a vegetable fiber than the white man acted on the Indian. As the line of American settlements approached, the nearest Indian tribes withered away. Harrison reported conscientiously the incurable evils which attended the contact of the two hostile forms of society. The first, but not the most serious, was that the white man, though not allowed to settle beyond the Indian border, could not be prevented from trespassing far and wide on Indian territory in search of game. The practice of hunting on Indian lands, in violation of law and existing treaties, had grown into a monstrous abuse. The Kentucky settlers crossed the Ohio River every autumn to kill deer, bear, and buffalo for their skins, which they had no more right to take than they had to cross the Alleghanies and shoot or trap the cows and sheep in the farmyards of Bucks County. Many parts of the Northwestern Territory, which as late as 1795 abounded in game, ten years afterward contained not game enough to support the small Indian parties passing through them, and had become worthless for Indian purposes except as a barrier to further encroachment.

The tribes that owned these lands were forced either to remove elsewhere or to sell their old hunting-grounds to the Government for supplies or for an annuity. The tribes that sold, remaining near the settlements to enjoy their annuity, were more to be pitied than those that removed, which were destined to destruction by war. Harrison reported that contact with white settlements never failed to ruin them. 'I can tell at once,' he wrote in 1801, 'upon looking at an Indian whom I may chance to meet, whether he belongs to a neighboring or to a more distant tribe. The latter is generally well-clothed, healthy, and vigorous; the former half naked, filthy, and enfeebled by intoxication. . . . I have had much difficulty with the small tribes in this immediate neighborhood; namely, the Piankeshaws, the Weas, and the Eel River Miamis. These three tribes form a body of the most depraved wretches on earth.'

A third evil was much noticed by Harrison. By treaty, if an Indian killed a white man the tribe was bound to surrender the murderer for trial by American law; while if a white man killed an Indian, the murderer was also to be tried by a white jury. The Indians surrendered their murderers, and white juries at Vincennes hung them without scruple; but no jury in the Territory ever convicted a white man of murdering an Indian. Harrison complained to the President of the wanton and

atrocious murders committed by white men on Indians, and the impossibility of punishing them in a society where witnesses would not appear, criminals broke jail, and juries refused to convict.

All these injuries [reported Harrison in 1801] the Indians have hitherto borne with astonishing patience; but though they discover no disposition to make war on the United States at present, I am confident that most of the tribes would eagerly seize any favorable opportunity for that purpose; and should the United States be at war with any of the European nations who are known to the Indians, there would probably be a combination of more than nine-tenths of the Northern tribes against us, unless some means are used to conciliate them.

So warmly were the French remembered by the Indians that, if Napoleon had carried out his Louisiana scheme of 1802, he could have counted on the active support of nearly every Indian tribe on the Mississippi and the Lakes; from Pensacola to Detroit his orders would have been obeyed. Toward England the Indians felt no such sentimental attachment; but interest took the place of sentiment. Their natural line of trade was with the Lakes, and their relations with the British trading-post at Malden, opposite Detroit, became more and more close with every new quarrel between Washington and London.

President Jefferson earnestly urged the Indians to become industrious cultivators of the soil; but even for that reform one condition was indispensable. The Indians must be protected from contact with the whites; and during the change in their mode of life, they must not be drugged, murdered, or defrauded. Trespasses on Indian land and purchases of tribal territory must for a time cease until the Indian tribes should all be induced to adopt a new system. Even then the reform would be difficult, for Indian warriors thought death less irksome than daily labor; and men who did not fear death were not easily driven to toil.

In 1804 and 1805, Governor Harrison made treaties with the Miamis, Eel Rivers, Weas, Piankeshaws, and Delawares — chiefly the tribes he called ‘a body of the most depraved wretches upon earth’ — by which he obtained the strip of country, fifty miles wide, between the Ohio and the White Rivers, thus carrying the boundary back toward the Wabash.

The treaties, which threatened the Indians with immediate loss of their hunting-grounds in the Wabash Valley, caused a fermentation peculiarly alarming because altogether new. Early in 1806, Harrison learned that a

Shawanee Indian, claiming to be a prophet, had gathered a number of warriors about him at Greenville, in Ohio, and was preaching doctrines that threatened trouble. Harrison attributed the mischief to the Prophet; but he learned in time that the Prophet's brother Tecumseh — or more properly Tecumthe — gave the movement its chief strength.

Indians and whites soon recognized Tecumthe as a phenomenon. His father was a Shawanee warrior, in no way distinguished; his mother, a Creek or Cherokee Indian, captured and adopted by the Shawanee — and of these parents three children at one birth were born about the year 1780, a few miles from Springfield, Ohio. From the first, Tecumthe aimed at limiting the authority of the tribes and their chiefs in order to build up an Indian Confederacy, embracing not the chiefs but the warriors of all the tribes, who should act as an Indian Congress and assume joint ownership of Indian lands.

During the year 1807, Tecumthe's influence was increased by the *Chesapeake* excitement, which caused the Governor-General of Canada to intrigue among the Indians for aid in case of war. Probably their increase of influence led the Prophet and his brother, in May or June, 1808, to establish themselves on Tippecanoe Creek, the central point of Indian strategy and politics. Vincennes lay one hundred and fifty miles below, barely four-and-twenty hours down the stream of the Wabash; Fort Dearborn, or Chicago, was a hundred miles to the northwest; Fort Wayne the same distance to the northeast; and excepting a short portage, the Tippecanoe Indians could paddle their canoes to Malden and Detroit in one direction, or to any part of the waters of the Ohio and Mississippi in the other. At the mouth of Tippecanoe Creek the reformers laid out a village that realized Jefferson's wish, for the Indians there drank no whiskey, and avowed themselves to be tillers of the soil.

Nothing could be more embarrassing to Jefferson than to see the Indians follow his advice; for however well-disposed he might be, he could not want the Indians to become civilized, educated, or competent to protect themselves — yet he was powerless to protect them. The Prophet asked that the sale of liquor should be stopped; but the President could no more prevent white settlers from selling liquor to the Indians than he could prevent the Wabash from flowing. The tribes asked that white men who murdered Indians should be punished; but the President could no more execute such malefactors than he could execute the smug-

glers who defied his embargo. The Indians had rights recognized by law, by treaty, and by custom, on which their existence depended; but these rights required force to maintain them, and on the Wabash President Jefferson had less police power than the Prophet himself controlled.

The settlement at Tippecanoe was supposed to contain no more than eighty or a hundred warriors, with four or five times that number within a radius of fifty miles. No immediate outbreak was to be feared; and Harrison, ‘conceiving that a favorable opportunity then offered’ for carrying the boundary from the White River to the Wabash, asked authority to make a new purchase. Secretary Eustis, July 15, 1809, wrote him a cautious letter, giving the required permission, but insisting that, ‘to prevent any future dissatisfaction, the chiefs of all the nations who had or pretended right to these lands’ were to be present as consenting parties to the treaty. On this authority Harrison once more summoned together ‘the most depraved wretches upon earth’ — Miamis, Eel Rivers, Delawares, Pottawatomies, and Kickapoos — and obtained from them, September 30, 1809, several enormous cessions of territory which cut into the heart of the Indian country for nearly a hundred miles up both banks of the Wabash Valley. These transfers included about three million acres.

Harrison knew that this transaction would carry despair to the heart of every Indian in his Territory. The Wabash Valley alone still contained game. Deprived of their last resource, these Indians must fall back to perish in the country of the Chippewas and Sioux, their enemies. Already impoverished by the Decrees of Napoleon, the Orders in Council, and the Embargo, which combined to render their peltry valueless, so that they could scarcely buy the powder and shot to kill their game, the Indians had thenceforward no choice but to depend on British assistance. Harrison’s treaty immediately strengthened the influence of Tecumthe and the Prophet. The Wyandots, or Hurons, regarded by all the Indian tribes in the Territory as first in dignity and influence, joined Tecumthe’s league, and united in a declaration that the late cessions were void and would not be recognized by the tribes.

So it happened that as early as the summer of 1810 war was imminent in the Wabash and Maumee Valleys, and perhaps only British influence delayed it. British interests imperatively required that Tecumthe’s Confederacy should be made strong and should not be wrecked prematurely in an unequal war. From Malden, opposite Detroit, the British

traders loaded the American Indians with gifts and weapons; urged Tecumthe to widen his Confederacy, to unite all the tribes, but not to begin war till he received the signal from Canada.

Tecumthe took, as his right, the position he felt himself to occupy as the most powerful American then living — who, a warrior himself, with five thousand warriors behind him, held in one hand an alliance with Great Britain, in the other an alliance with the Indians of the Southwest. Representatives of the Wyandots, Kickapoos, Pottawatomies, Ottawas, and Winnebagoes announced the adhesion of their tribes to the Shawnee Confederacy and the election of Tecumthe as their chief. In this character he avowed to Harrison, in the broadest and boldest language, the scope of his policy.

If the Governor would prevail upon the President to give up the lands lately purchased and agree never to make another treaty without the consent of all the tribes, Tecumthe pledged himself to be a faithful ally to the United States and to assist them in all their wars with the English; otherwise he would be obliged to enter into an English alliance.

Harrison told him that no such condition had the least chance of finding favor with the Government. ‘Well,’ rejoined Tecumthe, as though he had expected the answer, ‘as the great chief is to decide the matter, I hope the Great Spirit will put sense enough into his head to induce him to direct you to give up this land. It is true, he is so far off he will not be injured by the war; he may sit still in his town and drink his wine, while you and I will have to fight it out.’

Notwithstanding the hostile spirit on both sides, the winter of 1810–1811 passed without serious disturbance on the Wabash, and the summer of 1811 arrived before Harrison thought proper to take the next step. Then, June 24, he sent to Tecumthe and the Prophet a letter, or speech, intended to force an issue.

Brothers [he wrote], this is the third year that all the white people in this country have been alarmed at your proceedings. You threaten us with war; you invite all the tribes to the north and west of us to join against us. Brothers, your warriors who have lately been here deny this, but I have received the information from every direction. The tribes on the Mississippi have sent me word that you intended to murder me, and then to commence a war upon our people.

Tecumthe seemed disposed to avoid cause for attack. July 4 he sent

word that he would come to Vincennes; and to Harrison's alarm he appeared there, July 27, with two or three hundred warriors for an interview with the Governor. Tecumthe remained two days at Vincennes, explaining, with childlike candor, his plans and wishes. As soon as the council was over, he said, he should visit the Southern tribes to unite them with those of the North in a peaceful confederacy; and he hoped no attempt would be made to settle the disputed territory till his return in the spring. A great number of Indians were to come in the autumn to live at Tippecanoe; they must use the disputed region for hunting-ground. He wished everything to remain in its present situation till his return; he would then go and see the President and settle everything with him.

No doubt was felt on the Ohio that Harrison meant to attack the Indians at Tippecanoe; and so serious a campaign was expected that Kentucky became eager to share it. Among other Kentuckians, Joseph H. Daveiss, Aaron Burr's persecutor, wrote, August 24, to Harrison, offering himself as a volunteer.

Harrison accepted Daveiss's services, and gave him command of the dragoons, a mounted force of about one hundred and thirty men from Indiana and Kentucky. The Fourth United States Infantry, three hundred strong according to Colonel Boyd who commanded it, arrived in the Territory at the beginning of September. As rapidly as possible Harrison collected his forces, and sent them up the river to a point in the new purchase about sixty-five miles above Vincennes. Harrison reported his effectives as a few more than nine hundred men. Some sixty Kentucky volunteers were of the number.

In doubt what to do next, Harrison waited while his army built a small wooden fort, to which he gave his own name, and which was intended to establish formal possession of the new purchase. While the army was engaged in this work, one of the sentinels was fired at and wounded in the night of October 10 by some person or persons unseen and unknown. Harrison regarded this as a beginning of hostilities by the Prophet, and decided to act as though war was declared.

October 28 he broke up his camp at Fort Harrison, and the army began its march up the river. The Governor remained one day longer at the fort, and from there, October 29, sent some friendly Indians to the Prophet with a message requiring that the Winnebagoes, Pottawatomies, and Kickapoos at Tippecanoe should return to their tribes; that all stolen

horses should be given up, and that murderers should be surrendered. He intended at a later time to add a demand for hostages, in case the Prophet should accede to these preliminary terms.

Harrison did not inform the friendly Indians where they would find him, or where they were to bring their answer. Crossing to the west bank of the Wabash to avoid the woods, the troops marched over a level prairie to the mouth of the Vermilion River, where they erected a block-house to protect their boats. The Vermilion River was the extreme boundary of the recent land cession; and to cross it under such circumstances was war. Harrison looked for resistance; but not an Indian was seen, and November 3 the army resumed its march, keeping in the open country, until, on the evening of November 5, it arrived, still unmolested, within eleven miles of the Prophet's town. From the Vermilion River to Tippecanoe was fifty miles.

The next morning, November 6, the army advanced toward the town, and as the column approached, Indians were frequently seen in front and on the flanks. Within a mile and a half of the town, he halted his troops and declared his intention to encamp. Daveiss and all the other officers urged him to attack the town at once; but he replied that his instructions would not justify his attacking the Indians unless they refused his demands, and he still hoped to hear something in the course of the evening from the friendly Indians sent from Fort Harrison.

Daveiss and the other officers became more urgent, until Harrison at last yielded. 'I yielded to what appeared the general wish,' he said in his official report, 'and directed the troops to advance.' They advanced about four hundred yards, when three Indians sent by the Prophet came to meet them, bringing a pacific message, and urging that hostilities should if possible be avoided. Harrison's conscience, already heavy-ladened, again gave way at this entreaty. 'I answered that I had no intention of attacking them until I discovered that they would not comply with the demands that I had made; that I would go on and encamp at the Wabash, and in the morning would have an interview with the Prophet and his chiefs, and explain to them the determination of the President; that in the meantime no hostilities should be committed.'

Having decided to wait, Harrison had next to choose a camping-ground. The army marched on, looking for some spot on the river where wood as well as water could be obtained, until they came within one

hundred and fifty yards of the town, when the Indians, becoming alarmed, called on them to stop. Harrison halted his men and asked the Indians to show him a place suitable for his purpose, which they did. There Harrison camped. The night was dark, with light rain at intervals; the troops slept on their arms, and their rest was disturbed by no sound.

The first alarm was given at half-past four o'clock in the morning. Harrison himself was about to leave his tent, before calling the men to parade, when a sentinel at the farthest angle of the camp above the creek fired a shot. In an instant the Indian yell was raised, and before the soldiers at that end of the camp could leave their tents, the Indians had pierced the line and were shooting the men by the light of the camp-fires. Within a few moments, firing began along the whole line, until the camp, except for a space next the creek, was encircled by it. Fortunately for Harrison, the attacking party had not strength to follow up its advantage, and the American line was soon re-formed in the rear. Harrison rode to the point, and at the northeast angle met Daveiss and his dismounted dragoons. Daveiss reported that the Indians, under cover of the trees, were annoying the troops severely and asked leave to dislodge them. The order was given; and Daveiss, followed by only a few men, rushed forward among the trees, where he soon fell, mortally wounded. The troops, after forming, held their position without further disaster till daybreak, when they advanced and drove the Indians into the swamp. With this success the battle ended, having lasted two hours.

If the army had cause for anxiety before the battle, it had double reason for alarm when it realized its position on November 7. If Harrison's own account was correct, he had with him only eight hundred men. Sixty-one had been killed or mortally wounded, and he had near a hundred and fifty wounded to carry with him in his retreat. His effective force was diminished more than one-fourth; his camp contained very little flour and no meat, for the few beeves brought with the army were either driven away by the Indians or stampeded by the noise of the battle; and his only base of supplies was at Vincennes, one hundred and seventy miles away. The Indians could return in greater numbers, but his own force must steadily grow weaker.

The number of Indian warriors engaged in the night attack was estimated by Harrison at six hundred. The law of exaggeration, almost invariable in battle, warrants belief that not more than four hundred

Indians were concerned in the attack. The Prophet's Indians were few. Tecumthe afterward spoke of the attack as an 'unfortunate transaction that took place between the white people and a few of our young men at our village' — as though it was an affair in which the young warriors had engaged against the will of the older chiefs. Tecumthe commonly told the truth, even with indiscretion; and nothing in the American account contradicted his version of the affair at Tippecanoe.

Although Harrison did not venture to send out a scout for twenty-four hours, but remained in camp waiting attack, no further sign of hostilities was given. On the morning of November 8, the dragoons and mounted riflemen approached the town and found it deserted. Apparently the Indians had fled in haste, leaving everything, even a few new English guns and powder. The army took what supplies were needed, and set fire to the village. Meanwhile every preparation had been made for rapid retreat. The wagons could scarcely carry all the wounded, and Harrison abandoned the camp furniture and private baggage. At noon of November 9 the train started, and by nightfall had passed the dangerous woods and broken country where a few enemies could have stopped it. No Indians appeared; the march was undisturbed; and after leaving a company of the United States Fourth Regiment at Fort Harrison, the rest of the force arrived, November 18, at Vincennes.

Harrison believed that the battle had broken the Prophet's influence, and saved the frontier from further alarm. For a time these impressions seemed reasonable. The Prophet lost influence, and the peace was not further disturbed; but presently the Western people learned that the Prophet had returned to Tippecanoe, and that all things had resumed their old aspect, except that no one could foresee when the Indians would choose to retaliate for Harrison's invasion.

After April 1, 1812, Indian hostilities began all along the border. April 6, two settlers were murdered within three miles of Fort Dearborn, at Chicago; several murders were committed near Fort Madison, above St. Louis, on the Mississippi; but the warning which spread wild alarm throughout Indiana was the murder of a whole family early in April within five miles of Vincennes, and April 14, that of a settler within a few miles of the Ohio River. Another murder a few weeks afterward, on the White River, completed the work of terror.

Fortunately, Tecumthe was not yet ready for war. Six weeks after the

hostilities began, he appeared at a grand council, May 16, at Massassin way on the Wabash, between Tippecanoe and Fort Wayne. His speech to the tribes assembled there was more temperate than ever. 'We hope it will please God that the white people may let us live in peace; we will not disturb them, neither have we done it, except when they came to our village with the intention of destroying us.'

He added that the recent murders had been committed by Pottawatomies not under his control, and he offered no excuse for them. 'Should the bad acts of our brothers the Pottawatomies draw on us the ill-will of our white brothers, and they should come again and make an unprovoked attack on us at our village, we will die like men; but we will never strike the first blow.... We defy a living creature to say we ever advised anyone, directly or indirectly, to make war on our white brothers.'

This was the situation on the Wabash in May and June, 1812. Not only was Tecumthe unwilling to strike the first blow, but he would not even retaliate Harrison's invasion and seizure of the disputed territory. He waited for Congress to act, but everyone knew that whenever Congress should declare war against England, war must also be waged with the Indians; and no one could doubt that, after provoking the Indian war, Americans ought to be prepared to wage it with effect, and without complaint of its horrors.

## CHAPTER SEVENTY-FIVE

*War Debates*

THE WAR FEVER OF 1811 swept far and wide over the country, but even at its height seemed somewhat intermittent and imaginary. A passion that needed to be nursed for five years before it acquired strength to break into act could not seem genuine to men who did not share it. A nation which had submitted to robbery and violence in 1805, in 1807, in 1809, could not readily lash itself into rage in 1811 when it had no new grievance to allege; nor could the public feel earnest in maintaining national honor, for everyone admitted that the nation had sacrificed its honor and must fight to regain it. Yet what honor was to be hoped from a war which required continued submission to one robber as the price of resistance to another? President Madison submitted to Napoleon in order to resist England; the New England Federalists preferred submitting to England in order to resist Napoleon; but not one American expected the United States to uphold their national rights against the world.

The opponents of war could argue that Americans were not placed between desperate alternatives. They had persevered hitherto, in spite of their leaders, in the policy of peace; had suffered much injury and acute mortification, but had won Louisiana and West Florida, had given democracy all it asked, and had remained in reasonable harmony with the liberal movement of the world. They were reaping the fruit of their patient and obstinate husbandry; for Russia and Sweden were about to fight their battles without reward. Napoleon offered them favors more or less real, and even England could not long resist the pressure of her interests. Jefferson's policy had wrought all the evil it could cause — perhaps it had cost the highest price the nation could pay; but after the nation had suffered the evil and paid the price, it had a right to the profit. With more force than in 1798, the Old Republicans pleaded that if they should throw aside their principles and plunge into hostilities with England, they would not only sacrifice the results of six years' humiliation, but would throw the United States athwart the liberal movement of Europe.

Not merely Old Republicans, but an actual majority of the people,

probably held these opinions; yet the youthful energy of the nation, which had at last come to its strength under the shelter of Jefferson's peaceful rule, cried out against the cowardice of further submission, and insisted on fighting if only to restore its own self-respect.

The course of Massachusetts had much to do with changing the current of opinion. Hitherto this State barred the way to a British war. Although the Republican Party in Massachusetts several times elected their candidate for Governor by majorities more or less decisive, they failed to gain full control of the State Legislature before 1811. In 1810, they elected Elbridge Gerry and a majority of the Representatives, but they still lacked one vote to give them control of the Senate. In April, 1811, Gerry succeeded once more, defeating Christopher Gore, the Federalist candidate, by a majority of three thousand votes; while the House, which consisted of some six hundred and fifty members, chose a Republican Speaker by a majority of thirty-one. For the first time the Republicans controlled also a majority, though only of one vote, in the State Senate. Timothy Pickering lost his seat in the United States Senate, and Speaker Varnum received it.

The matter of impressments then began to receive the attention which had never yet been given it. Hitherto neither Government nor people had thought necessary to make a *casus belli* of impressments. Orders in Council and other measures of Great Britain which affected American property had been treated as matters of vital consequence; but as late as the close of 1811, neither the President, the Secretary of State, nor Congress had yet insisted that the person of an American citizen was as sacred as his property. Impressments occurred daily. No one knew how many native-born Americans had been taken by force from the protection of the American flag; but whether the number was small or great, neither Republican nor Federalist had ventured to say that the country must at all hazards protect them, or that, whatever rules of blockade or contraband the belligerents might adopt against property, they must at least keep their hands off the persons of peaceable Americans whether afloat or ashore. President Madison had repeated, until the world laughed in his face, that Napoleon no longer enforced his Decrees, and that, therefore, if England did not withdraw her blockade, war would result; but he had never suggested that America would fight for her sailors. When he and his supporters in earnest took up the grievances of the seamen,

they seemed to do so as an afterthought, to make out a cause of war against England, after finding the public unwilling to accept the cause at first suggested.

The process by which a scattered democracy decided its own will, in a matter so serious as a great and perhaps fatal war, was new to the world; bystanders were surprised and amused at the simplicity with which the people disputed plans of war and peace, giving many months of warning and exact information to the enemy, while they showed no sign of leadership, discipline, or union, or even a consciousness that such qualities were needed. Men like Josiah Quincy, Rufus King, John Randolph, and even Madison and Gallatin, seeing that the people themselves, like the machine of government they had invented, were incompetent to the work of war, waited with varied emotions, but equally believing or fearing that at last a fatal crisis was at hand.

Monroe was far from easy; but he had accepted, as was his wont, the nearest dominating will, and he drifted without an effort, although his old friends had already parted company with him. Though obliged to support the President in holding that Napoleon's Decrees were withdrawn so that they had ceased to violate the neutral commerce of the United States, he showed that he did so, not so much because he thought it the truth as because England gave him no choice.

Foster hoped for a turn in affairs favorable to himself, and tried to bring it about, not only by suggesting to Lord Wellesley the wisdom of concessions from England, but also by offering a frank and fair reparation for the *Chesapeake* outrage. He wrote, November 1, to the Secretary of State renewing the formal disavowal of Berkeley's unauthorized act, and offering to restore the men to the vessel from which they had been taken, with compensation to themselves and families. Somewhat coldly Monroe accepted the offer. The two surviving seamen were in due time brought from their prison at Halifax and restored to the deck of the *Chesapeake* in Boston Harbor; the redress was made as complete as such tardy justice could ever be, but the time had passed when it could atone for the wrong.

Both Foster and Serurier felt that the people were further advanced than the Government in hostility to England, and that this was especially true in the matter of impressments; but no one, even at the White House, knew certainly what to expect from the new Congress assembling at

Washington November 4, 1811. That this body differed greatly from any previous Congress was clear, if only because it contained some seventy new members; but another difference, less easily measured, was more serious. The active leaders were young men. Henry Clay of Kentucky. William Lowndes, John Caldwell Calhoun, David R. Williams, Langdon Cheves of South Carolina, Felix Grundy of Tennessee, Peter Buell Porter of New York, Richard Mentor Johnson of Kentucky, had none of them reached his fortieth year; while Madison and his Cabinet belonged to a different generation. None of the new leaders could remember the colonial epoch or had taken a share in public life except under the Constitution of 1789.

Of statesmanship, in the old sense, they took little thought. Bent on war with England, they were willing to face debt and probable bankruptcy on the chance of creating a nation, of conquering Canada, and carrying the American flag to Mobile and Key West.

After ten years devoted to weakening national energies, such freshness of youth and recklessness of fear had wonderful popular charm. The reaction from Jefferson's system threatened to be more violent than its adoption. Experience seemed to show that a period of about twelve years measured the beat of the pendulum. After the Declaration of Independence, twelve years had been needed to create an efficient Constitution; another twelve years of energy brought a reaction against the Government then created; a third period of twelve years was ending in a sweep toward still greater energy; and already a child could calculate the result of a few more such returns.

Had the majority of the House been in a gentler mood, its choice for Speaker should have fallen on Macon, once more a sound party man prepared to support war; but Macon was set aside. Bibb of Georgia, a candidate of the minority, received only thirty-eight voices, while seventy-five were given for Henry Clay. Clay was barely thirty-four years of age, and was a new member of the House; but he was the boldest and most active leader of the war Republicans. He immediately organized the committees for war. That on Foreign Relations, the most immediately important, was put into the hands of Porter, Calhoun, and Grundy. Military affairs were placed in charge of David R. Williams. Langdon Cheves became Chairman of the Naval Committee. Ezekiel Bacon and Cheves stood at the head of the Ways and Means.

November 5, the President's Message was read, and its account of the situation seemed to offer hardly the chance of peace. England, it said, had refused the 'reasonable step' of repealing its Orders in return for the extinction of the French Decrees; while the new British minister had made 'an indispensable condition of the repeal of the British Orders that commerce should be restored to a footing that would admit the productions and manufactures of Great Britain, when owned by neutrals, into markets shut against them by her enemies — the United States being given to understand that in the meantime a continuation of their Non-Importation Act would lead to measures of retaliation.' In some respects Madison's statement of grievances sounded almost needlessly quarrelsome; yet even in this list of causes which were to warrant a declaration of war, the President did not expressly mention impressments, in comparison with which his other grievances sank, in the afterthought, to insignificance.

Then followed the sentences which could be read only in the sense of an invitation to war:

I must now add that the period has arrived which claims from the legislative guardians of the national rights a system of more ample provisions for maintaining them. . . . With this evidence of hostile inflexibility in trampling on rights which no independent nation can relinquish, Congress will feel the duty of putting the United States into an armor and an attitude demanded by the crisis, and corresponding with the national spirit and expectations.

The report of Secretary Gallatin, sent to the House November 22, bore also a warlike character. For the past year Gallatin told a cheerful story. In spite of the non-importation, the receipts from customs and other revenue exceeded thirteen million five hundred thousand dollars, while the current expenses had not reached eight million dollars. If war should be declared, the Secretary asked only for an increase of fifty per cent in the duties, in order to make sure of a fixed revenue of nine million dollars; and should this increase of duty be insufficient for the purpose, the deficiency could be supplied without difficulty by a further increase of duties, by a restoration of the impost on salt, and by 'a proper selection of moderate internal taxes.' With a revenue of nine million dollars secured, the Treasury could rely on loans to defray extraordinary expenses, and a few years of peace would supply the means of discharging the debt incurred.

If this was different finance from that which Gallatin had taught in other days and by which he had risen to popularity and power, it was at least as simple as all that Gallatin did; but the simplicity of his methods, which was their chief professional merit, caused also their chief reproach. History showed the financial charlatan to be popular, not so much because he was dishonest as because he gratified an instinct for gambling as deep as the instinct of selfishness; and a common notion of a financier was that of a man whose merit lay in the discovery of new sources of wealth or in inventing means of borrowing without repayment. Gallatin professed to do neither. He did not recommend the issue of paper money; he saw no secret hoards buried in the unsold public lands; he would listen to no tricks or devices for raising money. If money was needed, he would borrow it, and would pay whatever it was worth; but he would not suggest that any device could relieve the public from taxing itself to pay whatever the public chose to spend.

The President's Message, as far as it regarded foreign affairs, was referred in the House, November 11, to a select committee, the chairman of which was Peter B. Porter, with Calhoun and Grundy to support his well-known opinions. Although the nature of their report could hardly be doubted, no one seemed confident that it would be taken seriously.

November 29, Porter presented to the House his report, in part.

Your committee will not encumber your journals [it began] and waste your patience with a detailed history of all the various matters growing out of our foreign relations. The cold recital of wrongs, of injuries, and aggressions known and felt by every member of this Union could have no other effect than to deaden the national sensibility, and render the public mind callous to injuries with which it is already too familiar.

Even the allusion to the repeal of the French Decrees showed fear lest the truth might make the public mind callous to shame:

France at length . . . announced the repeal . . . of the Decrees of Berlin and Milan; and it affords a subject of sincere congratulation to be informed, through the official organs of the Government, that those Decrees are, so far at least as our rights are concerned, really and practically at an end.

Porter had not studied the correspondence of the Department of State so thoroughly as to learn that Russia and Sweden were in the act of

making war to protect American rights from the operation of those Decrees which, as he was informed, were 'really and practically at an end.' With more reason and effect, the committee dwelt on the severity with which England enforced her blockades as far as the American coast; and last of all, added, almost in a tone of apology, an allusion to the practice of impressments:

Your committee are not, however, of that sect whose worship is at the shrine of a calculating avarice; and while we are laying before you the just complaints of our merchants against the plunder of their ships and cargoes, we cannot refrain from presenting to the justice and humanity of our country the unhappy case of our impressed seamen. . . . If it be our duty to encourage the fair and legitimate commerce of this country by protecting the property of the merchant, then indeed, by as much as life and liberty are more estimable than ships and goods, so much more impressive is the duty to shield the persons of our seamen.

Truisms like these, matters of course in the oldest despotisms of Europe, and the foundation of even Roman society, sounded altogether new in the mouth of a democratic Legislature, which uttered them as though their force were not universally admitted.

The report closed with six resolutions, recommending an increase of ten thousand men to the regular army; a levy of fifty thousand volunteers; the outfit of all the vessels of war not in actual service; and the arming of merchant vessels.

In opening the debate on the report, Porter spoke in language more candid than the report itself. 'It was the determination of the committee,' he said, 'to recommend open and decided war — a war as vigorous and effective as the resources of the country and the relative situation of ourselves and our enemy would enable us to prosecute.' He went so far as to point out the intended military operations — the destruction of British fisheries and of British commerce with America and the West Indies, and the conquest of Canada.

John Randolph replied in his usual keen and desultory style; but Randolph's arguments had lost historical interest, for the question was not so much whether war should be made as upon what new ground the United States should stand. The Federalists, conscious of the change, held their peace. The Republicans, laboring to convince not their opponents but themselves, argued day after day that cause for war existed,

as though they doubted their own assertion; but no sooner did they reach delicate ground than they became confused. Many of the speakers avoided argument and resorted to declamation. The best representative of this class was R. M. Johnson of Kentucky, who, after five years of national submission to both European belligerents, declared that a sixth year would prove fatal. ‘We must now oppose the further encroachments of Great Britain by war, or formally annul the Declaration of Independence.’ On this doubtful foundation he imagined visionary conquests. ‘I should not wish to extend the boundary of the United States by war if Great Britain would leave us to the quiet enjoyment of independence; but considering her deadly and implacable enmity, and her continued hostilities, I shall never die contented until I see her expulsion from North America, and her territories incorporated with the United States.’

Among the Republican speakers was J. C. Calhoun, who had lately taken his seat as a member for South Carolina. Of all the new men, Calhoun was the youngest. He had not yet reached his thirtieth birthday, and his experience in life was slight even for his years; but his speech of December 12 much excelled that of Grundy in merit, showing more clearness of statement, and fairly meeting each successive point that had been made by Randolph. Little could be added to what Calhoun said, and no objection could be justly made against it, except that as an expression of principles it had no place in the past history of the Republican Party.

Sir [exclaimed Calhoun], I know of but one principle to make a nation great, to produce in this country not the form but the real spirit of union; and that is to protect every citizen in the lawful pursuit of his business. . . . Protection and patriotism are reciprocal. This is the road that all great nations have trod.

Of the tenets held by the Virginia school, none had been more often or more earnestly taught than that the United States ought not to be made a great nation by pursuing the road that all great nations had trod. Had Calhoun held such language in 1798, he would have been branded as a monocrat by Jefferson, and would not long have represented a Republican district; but so great was the revolution in 1811 that Calhoun, thinking little of his party and much of the nation, hardly condescended to treat with decent respect the ‘calculating avarice’ which, though he alluded to its authors only in vague words, had been the pride of his party.

It is only fit for shops and counting-houses [he said], and ought not to disgrace the seat of sovereignty by its squalid and vile appearance. Whenever it touches sovereign power, the nation is ruined. It is too short-sighted to defend itself. It is an unpromising spirit, always ready to yield a part to save the balance. It is too timid to have in itself the laws of self-preservation. It is never safe but under the shield of honor.

Not without reason did Stanford of North Carolina retort that he very well recollects to have heard precisely the same doctrines in a strain of declamation at least equally handsome, upon the same subject, and from the same State; but the time was in 1799, and the speaker was the Federalist leader of the House — Robert Goodloe Harper.

No concealment was affected of conquests to be made in the Canadas. ‘Ever since the report of the Committee on Foreign Relations came into the House,’ said Randolph on the last day of the debate, ‘we have heard but one word — like the whippoorwill, but one monotonous tone — Canada, Canada, Canada!’

The resolutions proposed by the Committee on Foreign Relations were adopted, December 16, by what was in effect a unanimous vote. Only twenty-two members recorded their names against the increase of the regular army, and only fifteen voted against fitting out the navy. A still stronger proof of political revolution was the vote of ninety-seven to twenty-two in favor of the resolution which authorized merchant vessels to arm. This measure had the effect of a declaration of war.

Meanwhile the Senate had acted. In the want of reports, no record remains of what passed in debate before December 17; but the Journal shows that William B. Giles was made Chairman of the Committee on Foreign Relations, with Crawford and five other Senators as his associates; and that Giles reported, December 9, a bill for raising, not ten thousand regular troops, as the President recommended, but ten regiments of infantry, two of artillery, and one of cavalry — in all twenty-five thousand men for five years, in addition to an existing army nominally ten thousand strong. Each regiment was to number two thousand men, and whether its ranks were filled or not, required a full complement of officers. Rumor reported, and Giles admitted, that his bill was not an Administration measure, but on the contrary annoyed the Administration, which had asked for all the regular force it could raise or organize within a year. The public, though unwilling to side with Giles against the

President, could not but admit that the conquest of Canada by ten thousand men was uncertain, even with the assistance of volunteers and militia, while the entire scheme of war would become a subject of ridicule if Congress avowed the intention of vanquishing all the forces of Great Britain with only ten thousand raw troops.

Senator Anderson of Tennessee, acting probably on Executive advice, moved to amend the bill with a view of returning to the original plan of ten or twelve thousand additional troops; and on this motion, December 17, Giles made a speech that could not have been more mischievous had he aimed only to destroy public trust in the Government.

Giles had long been in open opposition to the President, he had intrigued with every other factious spirit to embarrass the Government, and had scandalized his own State by the bitterness of his personal hatreds; but he had not before shown himself ready to sacrifice the nation to his animosities. Everyone knew that had he expected to give the Administration the splendid success of a military triumph, he would never have thrust upon it an army competent to the purpose. Everyone believed that he hoped to ruin President Madison by the war that was threatened, and wished to hasten the ruin before the next autumn election. Those who had watched Giles closely knew how successfully he had exerted himself to cripple the Treasury — how he had guided the attacks on its resources; had by his single vote destroyed Gallatin's only efficient instrument, the Bank; had again by his single vote repealed the salt tax against Gallatin's wishes; and how he had himself introduced and supported that repeal of the embargo which broke the influence of Gallatin and went far to ruin Madison's Administration before it was fairly in office. So notorious was his conduct that Senator Anderson of Tennessee and his colleague, G. W. Campbell, in replying, went to the verge of the rules in charging Giles with motives of the blackest kind. Campbell pointed out that Giles's army would frustrate its own objects; would be unable to act against Canada as quickly as would be necessary, and would cause needless financial difficulty. 'I trust,' continued Campbell, 'it is not the intention of anyone by raising so large a regular force, thereby incurring so great an expenditure beyond what it is believed is necessary, to drain your Treasury, embarrass your fiscal concerns, and paralyze the best concerted measures of Government. If, however, such are the objects intended, a more effectual mode to ac-

complish them could not be adopted.' Giles's speech offered an example, unparalleled in American history, of what Campbell described as 'the malignity of the human mind'; but although his object was evident, only twelve Senators supported Madison, while twenty-one voted for Giles's army. As though to prove the true motive of the decision, every Federalist Senator voted with Giles, and their votes gave him a majority.

Giles's bill passed the Senate December 19, and was referred at once to the House Committee on Foreign Relations, which amended it by cutting down the number of troops from twenty-five thousand to fifteen thousand men; but when this amendment was proposed to the House, it met, in the words of Peter B. Porter, with a gust of zeal and passion. Henry Clay and the ardent war Democrats combined with the Federalists to force the larger army on the President, although more than one sound Democrat invoked past experience and ordinary common-sense to prove that twenty-five thousand men — or even half that number — could not be found in the United States willing to enlist in the regular army and submit for five years to the arbitrary will of officers whom they did not know and with whom they had nothing in common. The House voted to raise Giles's army, but still took the precaution of requiring that the officers of six regiments only should be commissioned until three-fourths of the privates for these six regiments should have been enlisted.

January 6, the bill passed the House by a vote of ninety-four to thirty-four. The bill returned to the Senate, where the amendments were immediately and almost unanimously struck out. The House, by sixty-seven votes to sixty, abandoned its amendments; the bill passed, as Giles had framed it, and January 11 received the President's signature.

## CHAPTER SEVENTY-SIX

*Madison as Minerva*

THE ARMY BILL was understood to decide, not so much the war as the change in domestic politics. That the party of Jefferson, Madison, Gallatin, and Monroe should establish a standing army of thirty-five thousand troops in time of peace, when no foreign nation threatened attack, and should do this avowedly for purposes of conquest, passed the bounds of inconsistency and proclaimed a revolution. This radical change was no longer disguised. Clay, Calhoun, Grundy, Lowndes, and Cheves made only a bare pretense of respecting the traditions of their party; while Giles, with a quality peculiar to himself, excused his assaults on Madison by doing public penance for his ancient errors in maligning Washington. Conduct that ruined Giles's character only raised the reputations of Clay, Lowndes, and Calhoun. These younger men were not responsible for what had been said and done ten or fifteen years before; they had been concerned in no conspiracy to nullify the laws, or to offer armed resistance to the Government; they had never rested their characters as statesmen on the chance of success in governing without armaments, and in coercing Napoleon and Pitt by peaceable means; they had no past to defend or excuse, and as yet no philosophical theories to preach — but they were obliged to remove from their path the system their party had established, and they worked at this task with more energy and with much more success than they showed in conducting foreign war.

Bitterly as all good Republicans regretted to create a standing army, that vote was easy compared with other votes it made necessary. Doubtless an army was an evil, but the effects of the evil were likely to appear chiefly in the form of taxes; and the stanchest war Republicans flinched at taxation. Everyone who knew Gallatin was persuaded that, as long as he remained Secretary of the Treasury, taxes must proportionally increase with debt. Ezekiel Bacon, Chairman of the Ways and Means Committee, wrote as early as December 9, 1811, to the Secretary for advice. The Secretary delayed his answer until January 10, the day when Congress agreed to pass the Army Bill. The letter was read to the House January 20, and proved, as had been foreseen, a serious discouragement

to the war spirit. Yet Gallatin made an underestimate of financial difficulties; for while he assumed the fixed charges at \$9,600,000 and estimated the receipts from customs under the existing duties at only \$2,500,-000 during war, he assumed also the committee's estimate of \$10,000,000 as the annual loan that would be required to meet the expense of war. In order to pay the fixed charges of government, the customs revenue must be raised to \$6,000,000; and for this purpose he asked Congress not only to double the existing duties, but also to reimpose the old duty on salt. To meet the remaining charge of \$3,600,000 and the accruing interest on new loans, he asked for internal taxes to the amount of \$5,000,000.

Gallatin himself was in a defiant mood, as he well might be, since he saw Congress in a position where it must either submit or take the responsibility of bankrupting the Treasury; and he did not content himself with demanding unpopular taxes, but read Congress a lecture on its own conduct that had made these taxes necessary. He recalled his promise of 1808 that 'no internal taxes, either direct or indirect, were contemplated even in the case of hostilities carried on against the two great belligerent powers'; and he showed that since 1808 Congress had thrown away his actual or expected balance of twenty millions, had refused to accept twenty millions that might have been obtained from the Bank, and had thus made internal taxes necessary, while making loans more difficult to obtain even on harder terms.

Gallatin's letter caused no little excitement in the House. Congress recoiled, and for more than a month left the subject untouched. Laying aside the question of taxes, Congress took up two other subjects of pressing importance. Everyone doubted the possibility of raising a regular army, and those persons who knew best the character of the people were convinced that the war must be waged by militia on land and by privateers on the ocean.

The House began with the militia. December 26, Porter brought in a bill authorizing the President 'to accept of any company or companies of volunteers, either of artillery, cavalry, or infantry, who may associate and offer themselves for the service, not exceeding fifty thousand,' officered according to the law of the State to which the companies belonged, and liable to service for one year, with the pay of regular troops. Evidently these volunteers were State militia, and were subject to be used only for purposes defined in the Constitution. The chief service desired

from these volunteer corps was the conquest of Canada and the occupation of Florida; but every principle of the Republican Party would be outraged by placing the militia at the President's orders, to serve on foreign soil.

Porter, who wanted express legislation to overcome this difficulty, stated his dilemma to the House; and the debate began quietly on the assumption that these volunteers were not to serve in Canada or Florida without their own consent, when, January 11, Langdon Cheves, with much seriousness and even solemnity of manner and language, informed the House that the Republican Party had hitherto taken a wrong view of the subject. The distinguished South Carolinian affirmed doctrines that had never before been heard from Republican lips:

The power of declaring and making war is a great sovereign power, whose limits and extent have long been understood and well established. It has its attributes and incidental powers, which are in the same degree less equivocal than those of other powers as it excels those powers in its importance. Do you ask then for the right of Congress to employ the militia in war? It is found among the attributes of the sovereign power which Congress has to make war. Do you ask for the limits to which this employment may extend? They are coextensive with the objects of the war.

Cheves's speech met with protest after protest, until Henry Clay came to his support and adopted his argument. The point was left unsettled; January 17 the House passed the bill by a vote of eighty-seven to twenty-three, leaving the decision in the President's hands, or, what was worst of all, in the hands of the volunteers. In the Senate, the bill passed without a division, and February 6 was approved by the President.

In this matter Congress, without absolutely rejecting Cheves's doctrine, evaded a decision; but another subject remained which was not so gently treated. From the first, the Republican Party had opposed a navy. The United States owned five or six frigates, but not one ship-of-the-line; New York or Philadelphia might be blockaded, perhaps ransomed, at any time by a single seventy-four with a frigate or two in company. To seafaring men, the idea of fighting England without ships seemed absurd, but the Republican Party was pledged by every line of its history not to create a navy. The dilemma was singular. Either the Republican Party must recant its deepest convictions or the war must be fought without

ships except privateers, and England must be left with no anxiety but the defense of Canada.

Once more Langdon Cheves took the lead. January 17, after the House voted on the Volunteer Bill, Cheves as Chairman of the Naval Committee asked an appropriation to build twelve seventy-fours and twenty frigates at a cost of seven and a half million dollars. His argument as a matter of expediency was convincing; for every American ship-of-war, even when blockaded in port, would oblige the British to employ three ships of equal or greater size to relieve each other in blockading and watching it. The blockading service of the American station was peculiarly severe. England had no port nearer than Halifax for equipments or repairs; in general all her equipments must be made in Europe, and for only three months' service; in winter she must for months at a time abandon the blockade and leave the coast free. No method could be devised by which, with so small risk and so little waste of money and life, the resources of England could be so rapidly drained as by the construction of heavy war-vessels. Once at sea, an American seventy-four had nothing to fear except a squadron; and even when dismantled in port, she required the attention of a hostile fleet.

The House had submitted with slowly rising ill-temper to each successive demand of the war it would have preferred to avoid; but this last requirement threw it into open revolt. When the Committee of the Whole House came to a vote, Cheves found a majority opposed to him on every motion for the building additional ships of any sort whatever.

By the middle of February, Congress reached a point of disorganization that threatened disaster. In the midst of this general discouragement, February 17, Ezekiel Bacon brought in fourteen resolutions embodying a scheme for raising money. The customs duties were to be doubled; twenty cents a bushel were laid on salt, fifty cents a gallon on the capacity of stills; licenses and stamps in proportion; and a direct tax of three million dollars was to be apportioned among the States.

A loan bill for eleven millions at six per cent was easily passed, but all the force of the war feeling could not overcome the antipathy to taxation. The resolution for doubling the customs duties met little resistance; but February 28 the House refused, by sixty to fifty-seven, to impose a duty on imported salt, and for the moment this vote threatened to ruin the whole scheme. The House adjourned for reflection; and on the following

Monday a member from Virginia moved to reconsider the vote. The House voted to reconsider, and by a majority of sixty-six to fifty-four accepted the duty of twenty cents on imported salt.

The salt duty distressed the South, and in revenge many Southerners wished to impose a tax of twenty-five cents a gallon on whiskey, which would be felt chiefly in the West; but this was no part of the Treasury scheme. Grundy and R. M. Johnson succeeded in defeating the motion; and after deciding this contest, the House found no difficulty in adopting all the other resolutions.

Four months of continuous session had passed, and spring was opening, when the Legislature reached this point. The result of the winter's labor showed that the young vigor of this remarkable Congress had succeeded only in a small part of the work required to give Jefferson's peaceful system a military shape. Although the nominal regular army had been raised from ten thousand to thirty-five thousand men, the Act of Congress which ordered these men to be enlisted could not show where they were to be found; and meanwhile the sudden strain broke down the War Department. Adapted by Jefferson, in 1801, to a peace establishment of three or four regiments, the Department required reorganization throughout or Congress would be likely to find the operations of war brought to a quick end.

Had Congress undertaken to wage war on the ocean, the same difficulty would have been felt in the navy; but this danger was evaded by the refusal to attempt naval operations. At all times the Republicans had avowed their willingness to part with the five frigates, and these were perhaps to be sent to sea with no great hope in the majority for their success; but the Navy Department was required to make no other exertion.

An army of thirty-five thousand regulars which could not be raised within a year, if at all, and of fifty thousand volunteers who were at liberty to refuse service beyond the frontier, promised no rapid or extensive conquests. A navy of half a dozen frigates and a few smaller craft could not be expected to keep the ports open, much less to carry the war across the ocean. Privateers must be the chief means of annoyance, not so much to British pride or power as to British commerce, and this kind of warfare was popular because it cost the Government nothing; but even the privateers were at a great disadvantage if the ports were to

be closed to their prizes by hostile squadrons. Such means of offense were so evidently insufficient that many sensible persons could not believe in the threatened war; but these were only the most conspicuous weaknesses. Armies required equipment, and the United States depended on Europe, chiefly on England, for their most necessary supplies. The soldier in Canada was likely to need blankets; but no blankets were to be had, and the Non-Importation Act prevented them from coming into the market, whatever price might be offered.

By force of will and intellect the group of war members held their own and dragged Congress forward in spite of itself; but the movement was slow and the waste of energy exhausting. Perhaps they failed to carry their points more often than they succeeded. Energetic as their efforts were, after four months of struggle they had settled nothing, and found themselves in March no further advanced than in November. War should already have been declared; but Congress was still trying to avoid it.

The President, as his office required, stood midway between the masses of his followers, but never failed to approve the acts and meet the wishes of the war members. Early in March, at a moment when they were greatly embarrassed, he came to their aid by a maneuver which excited much feeling on all sides, but especially among the Federalists engaged in abetting the war policy. He seemed to have fallen on the track of a conspiracy such as had overthrown the liberties and independence of classic republics, and which left no alternative but war or self-destruction; but the true story proved more modern, if not less amusing, than the conspiracies of Greece and Rome.

John Henry, whose reports from Boston to Sir James Craig at Quebec had been received with favor in 1808 and 1809 both in Canada and in London, not satisfied with such reward as he received from the Governor-General, went to England and applied, as was said, for not less than thirty-two thousand pounds, or one hundred and sixty thousand dollars, as the price he thought suitable for his services and his silence. Whatever was the sum he demanded, he failed to obtain it, and left England in ill-humor on his return to Canada, carrying his papers with him and an official recommendation to the Governor-General.

On the same ship was a Frenchman who bore the title of Count Edward de Crillon. His connections, he said, embraced the noblest and highest families of France; among his ancestors was the 'brave Crillon,' who for

centuries had been known to every French child as the Bayard of his time. The Count Edward's father was the Duc de Crillon; by marriage he was closely connected with Bessières, the Maréchal Duc d'Istrie, Napoleon's favorite. Count Edward de Crillon had fallen into disfavor with the Emperor, and for that reason had for a time quitted France while waiting a restoration to the army. His manners were easy and noble; he wore the decoration of the Legion of Honor, received and showed letters from his family and from the Duc d'Istrie, and talked much of his personal affairs, especially of his estate called St. Martial, 'in Lebeur near the Spanish border.' He had met John Henry in London society. When he appeared on the Boston packet, a friendship arose between these two men so hardly treated by fortune. Henry confided his troubles to the Count, and Crillon gave himself much concern in the affair, urging Henry to have no more to do with an ungrateful Government, but to obtain from the United States the money that England refused. The Count offered to act as negotiator and use his influence with Serurier, his minister, to approach the Secretary of State. The Count even offered to provide for Henry's subsequent welfare by conveying to him the valuable estate at St. Martial in consideration of the money to be obtained for Henry's documents. At St. Martial, under the protection of the Crillons, John Henry would at last find, together with every charm of climate and scenery, the ease of life and the social refinement so dear to him.

Henry entered into a partnership with the Frenchman, and on their arrival at Boston, Crillon wrote to Serurier, introducing himself, and narrating the situation of Henry, whose papers, he said, were in his own control. Serurier made no reply; but Crillon came alone to Washington, where he called on the minister, who after hearing his story sent him to Monroe, to whom he offered Henry's papers for a consideration of a hundred and twenty-five thousand dollars.

The negotiation was successful. Henry was secretly summoned to Washington, and consented to desist from his demand for one hundred and twenty-five thousand dollars. Secretary Monroe agreed to give him fifty thousand dollars, and to promise that the papers should not be made public until Henry himself was actually at sea, while Crillon received the money, delivering to Henry the title-deeds to the estate of St. Martial. The money was paid, February 10, out of the contingent fund for foreign intercourse.

Monday, March 9, the President sent Henry's papers to Congress, with a Message which said nothing as to the manner of acquiring them, but charged the British Government with employing a secret agent 'in fomenting disaffection to the constituted authorities of the nation, and intrigues with the disaffected for the purpose of bringing about resistance to the laws, and eventually, in concert with a British force, of destroying the Union and forming the eastern part thereof into a political connection with Great Britain.' Serurier reported that the Administration had great hopes through this discovery of deciding the result, inflaming the nation, and throwing it enthusiastically into the war.

When John Henry's letters were read in Congress, March 9, 1812, the Federalists for a moment felt real alarm, for they knew not what Henry might have reported; but a few minutes of examination showed them that, as far as they were concerned, Henry had taken care to report nothing of consequence. That he came to Boston as a British agent was hitherto unknown to the Federalists themselves, and the papers showed that he never revealed his secret character to them. His letters were hardly more compromising than letters, essays, and leading articles, sermons, orations, and addresses that had been printed again and again in every Federalist paper in Boston and New York. Here and there they contained rows of mysterious asterisks, but no other sign of acquaintance with facts worth concealing.

After a night's reflection the Federalists returned to the Capitol convinced that the President had done a foolish act in throwing away fifty thousand dollars for papers that proved the Federalist Party to be ignorant of British intrigues that never existed. Fifty thousand dollars was a large sum; and having been spent without authority from Congress, it seemed to the Federalists chiefly their own money which had been unlawfully used by Madison for the purpose of publishing a spiteful libel on themselves. With every sign of passion they took up the President's personal challenge. A committee of investigation was ordered by the House, and found that Henry, with the Government's privity, had already sailed for Europe. Nothing remained but to examine Crillon, who gave evidence tending to prove only such facts as he thought it best that Congress should believe.

Soon after Count Edward de Crillon gave his evidence to the investigating committee, news arrived that France was about to make war with

Russia, and although Crillon had decided to wait in Washington for his recall to the Emperor's favor, he became suddenly earnest to depart. March 22, Serurier wrote: 'At the news of a possible rupture with Russia, the blood of M. de Crillon, always so boiling, has become hotter than ever, and he has decided to return to France without waiting an answer from your Excellency; he wants to throw himself at the Emperor's feet, tell him what he has done, invoke pardon for his errors, and go to expiate them in the advance guard of his armies.'

April 1, Crillon left Washington bearing dispatches from Monroe to Barlow and from Serurier to Bassano. Neither he nor John Henry is known to have ever again visited the United States, and their names would have been forgotten had not stories soon arrived that caused the Federalists great amusement, and made President Madison very uncomfortable. Barlow wrote to the President that Count Edward de Crillon was an impostor; that no such person was known to the Crillon family or to the French service. Private letters confirmed the report, and added that the estate of St. Martial had no existence and that Crillon's drafts in Henry's favor were drawn on a person who had been five years dead.

Serurier continued to declare that he had honestly believed Crillon to be 'something like what he represented himself'; but he could not reasonably expect the world to accept these protestations. That the President should be mortified was natural, but still more natural that he should be angry. He could not resent the introduction of a foreign impostor to his confidence, since he was himself chiefly responsible for the social success of the Count Edward de Crillon; but deception was a part of the French system, and Madison felt the Crillon affair sink into insignificance beside the other deceptions practiced upon him by the Government of France. He was as nearly furious as his temperament allowed, at the manner in which the Emperor treated him.

Had the British Government at that moment offered the single concession asked of it, no war could have taken place, unless it were a war with France; but the British Government had not yet recovered its reason. Foster came to Washington with instructions to yield nothing, yet to maintain peace; to threaten, but still conciliate. This mixture of policy, half Canning and half Fox, feeble and mischievous as it was, could not be altered by Foster; his instructions were positive.

March 21, 1812, Washington was excited by news that Foster had re-

ceived recent instructions from his Government, and the crisis of war and peace was at hand. A report spread through Washington that the Orders in Council were repealed, and that an immediate accommodation of all differences between England and the United States might be expected.

Foster would have been glad to find his new instructions composed in such a sense; but he hardly expected to find them so positive as they were in an opposite spirit. Lord Wellesley's dispatch of January 28, 1812, which may be said to have decided the declaration of war, was afterward published, and need not be quoted in detail. He remonstrated against the arming of merchant vessels, and ordered Foster to speak earnestly on the subject 'for the purpose of preventing a state of affairs which might probably lead to acts of force.' The pretended revocation of the French Decrees, said Lord Wellesley, was in fact a fresh enactment of them, while the measures of America tended to occasion such acts of violence as might 'produce the calamity of war between the two countries.' This usual formula, by which diplomacy announced an expected rupture, was reinforced by secret instructions warning Foster cautiously to 'avoid employing any suggestions of compromise to the American Government which might induce them to doubt the sincerity or firmness of His Majesty's Government in their determination, already announced, of maintaining steadfastly the system of defense adopted by them until the enemy shall relinquish his unwarrantable mode of attack upon our interests through the violation of neutral rights.'

The warning gave Foster a manner more formal than usual when he went, March 21, to assure Monroe that the Prince Regent would never give way. The President looked upon this declaration as final — when March 23, two days after Foster's interview, news arrived that a French squadron, under open orders, had begun to burn and sink American commerce on the ocean. The news, arriving in Washington at a moment when the Federalists were most eager to retaliate the insult of the Henry letters, caused extreme sensation. In face of these piratical acts no one longer pretended that the French Decrees were repealed. Republicans were angrier than Federalists. Madison and Monroe were angriest of all. Serurier was in despair. 'I am just from Mr. Monroe's office,' he wrote March 23; 'I have never yet seen him more agitated, more discomposed. He addressed me abruptly: "Well, sir, it is then decided that we are to

receive nothing but outrages from France! And at what a moment too! At the very instant when we were going to war with her enemies.”

For the hundredth time Monroe repeated the old story that the repeal of the French Decrees was the foundation of the whole American system; ‘that should the Executive now propose the embargo or the declaration of war, the whole Federal Party — reinforced by the Clinton party, the Smith party, and the discontented Republicans — would rise in mass and demand why we persist in making war on England for maintaining her Orders in Council when we have proofs so recent and terrible that the French Decrees are not withdrawn.’

At this moment, according to a Federalist legend, Madison was believed to hesitate, and Clay and Grundy coerced him into the recommendation of war by threats of opposing his renomination for the Presidency. In reality, some of the moderate Republicans urged him to send a special mission to England as a last chance of peace. Perhaps Clay and Grundy opposed this suggestion with the warmth ascribed to them, but certainly no sign of hesitation could be detected in Madison’s conduct between the meeting of Congress in November and the declaration of war in June. Whatever were his private feelings, he acted in constant agreement with the majority of his party, and at most asked only time for some slight armaments. As to the unprepared state of the country, he said that he did not feel himself bound to take more than his share of the responsibility. Even under the exasperation caused by the conduct of France, he waited only for his party to recover composure. March 31, Monroe held a conference with the House Committee of Foreign Relations, and told them that the President thought war should be declared before Congress adjourned, and that he would send an Embargo Message if he could be assured it would be agreeable to the House.

The Committee of Foreign Relations decided in favor of an embargo; and April 1, the day after this interview, Madison sent to Congress a secret Message, which was read with closed doors: ‘Considering it as expedient, under existing circumstances and prospects, that a general embargo be laid on all vessels now in port or hereafter arriving for the period of sixty days, I recommend the immediate passage of a law to that effect.’

## CHAPTER SEVENTY-SEVEN

*War*

THE EMBARGO MESSAGE surprised no one. The Committee of Foreign Relations made no secret of its decision. Calhoun warned Josiah Quincy and other representatives of commercial cities; and on the afternoon of March 31 these members sent an express, giving notice to their constituents that the embargo would be proposed on the following day. Every shipowner on the seaboard and every merchant in the great cities hurried ships and merchandise to sea, showing that they feared war less than they feared embargo, at the moment when Congress, April 1, went into secret session to discuss the measure intended to protect shipowners and merchants by keeping their property at home. Porter introduced the bill laying an embargo for sixty days; Grundy declared it to be intended as a measure leading directly to war; Henry Clay made a vehement speech approving the measure on that ground. On the other side Randolph declared war to be impossible; the President dared not be guilty of treason so gross and unparalleled as that of plunging an unprepared nation into such a conflict. Randolph even read memoranda of Monroe's remarks to the Committee of Foreign Relations; 'The embargo would leave the policy as respected France, and indeed of both countries, in our hands'; and from this he tried to convince the House that the embargo was not honestly intended as a war measure. The debate ran till evening, when by a vote of sixty-six to forty the previous question was ordered. Without listening to the minority the House then hurried the bill through all its stages, and at nine o'clock passed it by a vote of seventy to forty-one.

The majority numbered less than half the members. In 1807 the House imposed the embargo by a vote of eighty-two to forty-four, yet the country failed to support it. The experience of 1807 boded ill for that of 1812. In the Senate the outlook was worse. The motion to extend the embargo from sixty to ninety days was adopted without opposition, changing the character of the bill at a single stroke from a strong war measure into a weak measure of negotiation; but even in this weaker form it received only twenty votes against thirteen in opposition.

Congress seemed exhausted by the efforts it had made, and the country

showed signs of greater exhaustion before having made any efforts at all. The complaints against France, against the non-importation, against the embargo, and against the proposed war were bitter and general. April 6, Massachusetts held the usual State election. Gerry was again the Republican candidate for Governor, and the Federalists had little hope of defeating him; but the Republican Administration had proved so unpopular, the famous Gerrymander by which the State had been divided into districts in party interests had so irritated the conservative feeling, that the new embargo and the expected war were hardly needed to throw the State again into opposition. Caleb Strong became Governor once more at a moment when the change paralyzed national authority in New England; and meanwhile throughout the country the enlistments for the new army produced barely one thousand men.

While Eustis ransacked the country for generals, colonels, and the whole staff of officers, as well as the clothing, arms, and blankets for an army of twenty-five thousand men who could not be found, Gallatin labored to provide means for meeting the first year's expenses. Having no longer the Bank to help him, he dealt separately with the State banks through whose agency private subscriptions were to be received. The subscriptions were to be opened on the first and second days of May. The Republican newspapers, led by the *National Intelligencer*, expressed the hope and the expectation that twice the amount of the loan would be instantly subscribed. Their disappointment was very great. Federalist New England refused to subscribe at all; and as the Federalists controlled most of the capital in the country, the effect of their abstention was alarming. In all New England not one million dollars were obtained. New York and Philadelphia took each about one and a half million. Baltimore and Washington took about as much more. The whole Southern country, from the Potomac to Charleston, subscribed seven hundred thousand dollars.

The Federalists, delighted with this failure, said, with some show of reason, that if the Southern States wanted the war they ought to supply the means, and had no right to expect that men who thought the war unjust and unnecessary should speculate to make money from it.

Gallatin made no complaints, but he knew only too well what lay before him. No resource remained except Treasury notes bearing interest. Neither Gallatin, nor any other party leader, cared to suggest legal-

tender notes, which were supposed to be not only an admission of national bankruptcy at the start, but also forbidden by the spirit of the Constitution; yet the Government could hardly fail to experience the same form of bankruptcy in a less convenient shape. After the destruction of the United States Bank, a banking mania seized the public. Everywhere new banks were organized or planned. Competition and want of experience or of supervision inevitably led to overissue, inflation of credit, suspension of specie payments, and paper money of the worst character. Between a debased currency of private corporations and a debased currency of Government paper, the former was the most expensive and the least convenient; yet it was the only support on which the Treasury could depend.

Early in May a double election took place, which gave more cause of alarm. New York chose a Federalist Assembly, and Massachusetts chose a General Court more strongly Federalist than anyone had ventured to expect. In the face of such a revolution in two of the greatest and richest States in the Union, President, Cabinet, and legislators had reason to hesitate; they had even reason to fear that the existence of the Union might hang on their decision. They knew the Executive Department to be incompetent for war; they had before their eyes the spectacle of an incompetent Congress; and they saw the people declaring, as emphatically as their democratic forms of government permitted, their unwillingness to undertake the burden. Even bold men might pause before a situation so desperate.

The experiment of thrusting the country into war to inflame it, as crude ore might be thrown into a furnace, was avowed by the party leaders, from President Madison downward, and was in truth the only excuse for a course otherwise resembling an attempt at suicide. Many nations have gone to war in pure gaiety of heart; but perhaps the United States were the first to force themselves into a war they dreaded, in the hope that the war itself might create the spirit they lacked.

The President himself had no other plan than to ‘throw forward the flag of the country, sure that the people would press onward and defend it.’

The usual Congressional caucus was called May 18, and was attended by eighty-three Members and Senators, who unanimously renominated Madison. Only a few weeks before, Vice-President Clinton had died in

office, and whatever respect the Administration may have felt for his great name and Revolutionary services, the party was relieved at the prospect of placing in the chair of the Senate some man upon whom it could better depend. The caucus named John Langdon of New Hampshire; and when he declined, Elbridge Gerry, the defeated Governor of Massachusetts, was selected as candidate for the Vice-Presidency.

During the entire month of May, Congress passed, with only one exception, no Act for war purposes. Government waited for the last dispatches from abroad. The sloop-of-war *Hornet*, after long delay, arrived at New York, May 19, and three days afterward the dispatches reached Washington. Once more, but for the last time, the town roused itself to learn what hope of peace they contained.

The news would at any previous time have checked hostile action, for it showed that the British Government had taken alarm, and that for the first time a real change of policy was possible; but this news came from unofficial sources and could not be laid before Congress. Officially, the British Government still stoutly maintained that it could not yield. Lord Wellesley had given place to Lord Castlereagh. In a very long dispatch, dated April 10, the new Foreign Minister pleaded earnestly that England could not submit herself to the mercy of France. The argument of Lord Castlereagh rested on an official report made by the Duc de Bassano to the Emperor, March 10, in which Napolon reasserted his rules regarding neutrals in language quite as strong as that of his Decrees, and reasserted the validity of those Decrees, without exception, in regard to every neutral that did not recognize their provisions. Certainly, no proof could be imagined competent to show the continued existence of the Decrees if Bassano's report failed to do so; and Castlereagh, with some reason, relied on this evidence to convince not so much the American Government as the American people that a deception had been practiced, and that England could not act as America required without submitting to Napoleon's principles as well as to his arms.

The President and his party could not go backward in their path; yet no enemy could have devised a worse issue than that on which the President had placed the intended war with England. Every Act of Congress and every official expression of Madison's policy had been founded on the withdrawal of the French Decrees as they affected American commerce. This withdrawal could no longer be maintained, and Madison merely

shook confidence in his own good faith by asserting it; yet he could do nothing else. He was withheld only by political and military expediency from favoring war with France. He wrote to Joel Barlow, after full knowledge of Napoleon's conduct, that 'in the event of a pacification with Great Britain the full tide of indignation with which the public mind here is boiling will be directed against France, if not obviated by a due reparation of her wrongs; war will be called for by the nation almost *unâ voce*.'

A position so inconsistent with itself could not be understood by the people. The Republican press, which supported Madison most energetically, made no concealment of its active sympathies with Napoleon, even in Spain. What wonder if large numbers of good citizens who believed Napoleon to be anti-Christ should be disposed to resist, even to the verge of treason, the attempt to use their lives and fortunes in a service they regarded with horror!

Acting on the theory that Castlereagh's instructions of April 10 gave the last formal notice intended by the British Government, President Madison prepared a Message recommending an immediate declaration of war. This Message was sent to Congress June 1; the two Houses instantly went into secret session, and the Message was read. No one could dispute the force of Madison's long recital of British outrages. For five years, the task of finding excuses for peace had been more difficult than that of proving a *casus belli*; but some interest still attached to the arrangement and relative weight of the many American complaints.

Madison, inverting the order of complaints previously alleged, began by charging that British cruisers had been 'in the continued practice of violating the American flag on the great highway of nations, and of seizing and carrying off persons sailing under it.' The charge was amply proved, was not denied, and warranted war; but this was the first time that the Government had alleged impressment as its chief grievance, or had announced, either to England or to America, the intention to fight for redress — and England might fairly complain that she had received no notice of intended war on such ground. The second complaint alleged that British cruisers also violated the peace of the coasts and harassed entering and departing commerce. This charge was equally true and equally warranted war, but it was open to the same comment as that made upon the first. The third grievance on which the President had

hitherto founded his coercive measures consisted in ‘pretended blockades, without the presence of an adequate force and sometimes without the practicability of applying one,’ by means of which American commerce had been plundered on every sea — a practice which had come to its highest possible development in the fourth grievance, the sweeping system of blockades known as the Orders in Council. These four main heads of complaint covered numbers of irritating consequences, but no other separate charge was alleged, beyond an insinuation that the hostile spirit of the Indians was connected with their neighborhood to Canada.

On the four great grievances thus defined every American could in theory agree; but these admitted wrongs had hitherto been endured as a matter of expediency, rather than resort to war; and the Opposition still stood on the ground that had been so obstinately held by Jefferson — that war, however just, was inexpedient. If union in the war policy was to be hoped, the President must rather prove its expediency than its justice. Even from his own point of view, two doubts of expediency required fresh attention. For the first time, England showed distinct signs of giving way; while on the other hand France showed only the monomania of insisting on her Decrees, even to the point of conquering Russia. In the face of two such movements, the expediency of war with England became more than ever doubtful; and if the President wished for harmony, he must remove these doubts. This he did not attempt. What was still more remarkable, he said nothing in regard to the contract with France, which since November, 1809, he had made the ground for every measure of compulsion against England. Indeed, not only was the contract ignored, but if any meaning could be placed on his allusions to France, the theory of contract seemed at last to be formally abandoned.

The War of 1812 was chiefly remarkable for the vehemence with which, from beginning to end, it was resisted and thwarted by a very large number of citizens who were commonly considered, and who considered themselves, by no means the least respectable, intelligent, or patriotic part of the nation. That the war was as just and necessary as any war ever waged seemed so evident to Americans of another generation that only with an effort could modern readers grasp the reasons for the bitter opposition of large and respectable communities which left the Government bankrupt and nearly severed the Union; but if students of national history can bear with patience the labor of retaining in mind the threads of

negotiation which President Madison so thoroughly tangled before breaking, they can partially enter into the feelings of citizens who held themselves aloof from Madison's war. In June, 1812, the reasons for declaring war on Great Britain, though strong enough, were weaker than they had been in June, 1808, or in January, 1809. In the interval the British Government had laid aside the arrogant and defiant tones of Canning's diplomacy; had greatly modified the Orders in Council; had offered further modifications; and had atoned for the *Chesapeake* outrage. In 1807, England would have welcomed a war with the United States; in 1812, she wanted peace, and yielded much to secure it. In 1808, America was almost unanimous, her Government still efficient, well supplied with money, and little likely to suffer from war; in 1812, the people were greatly divided, the Government had been weakened, and the Treasury was empty. Even Gallatin, who in 1809 had been most decidedly for war, was believed in 1812 to wish and to think that it might be avoided. Probably four-fifths of the American people held the same opinion. Not merely had the situation in every other respect changed for the worse, but the moral convictions of the country were outraged by the assertion of a contract with Napoleon — in which no one believed — as the reason for forcing religious and peaceful citizens into what they regarded as the service of France.

The House went at once into secret session; the Message was referred to the Committee of Foreign Relations; and two days afterward, June 3, Calhoun brought in a report recommending an immediate appeal to arms.

After the House had listened in secret session, June 3, to the reading of this report, Josiah Quincy moved that the debate should be public. The demand seemed reasonable. That preliminary debates should be secret might be proper, but that war with any Power, and most of all with England, should be declared in secret could not be sound policy, while apart from any question of policy the secrecy contradicted the professions of the party in power. Perhaps no single act, in a hundred years of American history, showed less regard for personal and party consistency than the refusal by the Republicans of 1812 to allow society either rights or privileges in regard to the declaration of war upon England. The secret session gave the Speaker absolute power, and annihilated opposition. By seventy-six votes to forty-six, the House rejected Quincy's

This demand being refused, the minority declined further discussion. Henceforward they contented themselves with voting. On the same day Calhoun presented the bill declaring war against England, and on the second reading the Opposition swelled to forty-five votes; while of the Republican majority, numbering about one hundred and five members, only seventy-six could be brought to the test. June 4, the third reading was carried by a vote of seventy-eight to forty-five, and the same day the bill passed by a vote of seventy-nine to forty-nine.

Proverbially wars are popular at their beginning; commonly, in representative governments, they are declared by aid of some part of the Opposition. In the case of the War of 1812 the party in power, instead of gaining strength by the declaration, lost about one-fourth of its votes, and the Opposition actually gained nearly one-fifth of the Administration's strength. In the Senate the loss was still greater. There, too, the President's Message was debated in secret, but the proceedings were very deliberate. A select committee, with Senator Anderson of Tennessee at its head, took charge of the Message, and consumed a week in studying it. June 8, the committee reported the House bill with amendments. June 11, the Senate, by a vote of seventeen to thirteen, returned the bill to the committee for further amendment. June 12, the committee reported the amendments as instructed. The Senate discussed them, was equally divided, and accordingly threw out its own amendments. June 15, the Senate voted the third reading of the House bill by a vote of nineteen to thirteen. June 16, after a strong speech for delay from Senator James A. Bayard the Senate again adjourned without action; and only June 18, after two weeks of secret discussion, did the bill pass. Nineteen senators voted in its favor; thirteen in opposition. Except Pennsylvania, the entire representation of no Northern State declared itself for the war; except Kentucky, every State south of the Potomac and the Ohio voted for the declaration. Not only was the war to be a party measure, but it was also sectional.

The bill with its amendments was at once returned to the House and passed. Without a moment's delay the President signed it, and the same day, June 18, 1812, the war began.

In resorting to old-fashioned methods of violence, Congress had also to decide whether to retain or to throw away its weapons of peaceful coercion. The Non-Importation Act stopped importations from Eng-





land. If war should be considered as taking the place of non-importation, it would have the curious result of restoring trade with England. Opinions were almost as hotly divided on the question of war with, or war without, non-importation as on the question of war and peace itself; while even this detail of policy was distorted by the too familiar interference of Napoleon — for the non-importation was a part of his system, and its retention implied alliance with him, while the admission of English merchandise would be considered by him almost an act of war. The non-importation was known to press severely on the industries of England, but it threatened to paralyze America. In the absence of taxation, nothing but the admission of British goods into the United States could so increase the receipts of the Treasury as to supply the Government with its necessary resources. Thus, two paths lay open. Congress might admit British goods, and by doing so dispense with internal taxes, relieve the commercial States, and offend France; or might shut out British goods, disgust the commercial States, double the burden of the war to America, but distress England and please Napoleon.

War having been declared June 18, on June 19 Langdon Cheves introduced, from the Committee of Ways and Means, a bill partially suspending the Non-Importation Act. He supported his motion by a letter from Gallatin, accepting this bill as an alternative to the tax bills. On the same day news arrived of more American vessels burned by French frigates. Chaos seemed beyond control. War with England was about to restore commerce with her; alliance with France was a state of war with her. The war party proposed to depend on peace taxes at the cost of France their ally, in the interests of England their enemy; the peace party called for war taxes to discredit the war; both parties wanted trade with England with whom they were at war; while everyone was displeased with the necessity of assisting France, the only ally that America possessed in the world.

Although Gallatin caused the necessary bills for the war taxes to be reported to the House June 26, he had no idea of passing them, and was not surprised when by a vote of seventy-two to forty-six the House postponed them to the next session. This chronic helplessness could not last in face of war without stopping government itself; and Congress, with a bad grace, yielded at last to necessity. Even while Gallatin was complaining, the Senate passed the bill for issuing five millions in Treasury

notes. June 30, it passed the bill doubling the duties on imports. In rapid succession, such other bills as were most needed by Government were put upon their passage; and July 6, the exhausted Congress adjourned, glad to escape its struggle with the novel problems of war.

In American history few sessions of Congress left a deeper mark than that of 1811-12; but in the midst of the war excitement several Acts of high importance almost escaped public notice. As far-reaching as the declaration of war itself was the Act, approved April 8, 1812, declaring the State of Louisiana to be admitted into the Union. Representatives of the Eastern States once more protested against the admission of new territory without consulting the States themselves; but Congress followed up the act by one more open to question. West Florida had remained hitherto in the condition of its military occupation a year before. Congress had then found the problem too hard to solve on any theory of treaty or popular rights; but in the excitement of the war fever, Government acted on the new principle that West Florida, which had been seized because it was a part of Louisiana, should be treated as though it were a conquered territory. An Act of Congress, approved April 14, divided the district in halves at the Pearl River, and annexed the western half — against the expressed wishes of its citizens — to the new State of Louisiana; the eastern portion was incorporated in the Mississippi Territory by an Act approved May 14, 1812.

To the territory of West Florida the United States had no right. Their ownership of the country between the Iberville and the Perdido was a usurpation which no other country was bound to regard; indeed, at the moment when Congress subjected the shores of Mobile Bay to the Mississippi Territorial Government, Mobile was still garrisoned by a Spanish force and ruled by the Spanish people. In after years the United States Government, in order to obtain a title good beyond its own borders, accepted the territory as a formal grant from the King of Spain. Ferdinand VII, the grantor and only rightful interpreter of his own grant, inserted an article into the Treaty of 1819 which was intended by him to discredit, and did in fact ignore, the usurpations of the United States: 'His Catholic Majesty cedes to the United States, in full property and sovereignty, all the territories which belong to him situated to the eastward of the Mississippi, known by the names of East and West Florida.' According to the Acts of Congress, no territory known as West Florida

belonged to the King of Spain; it had been ceded to the United States as a part of Louisiana. The admission by treaty in 1819 that Ferdinand VII was still sovereign over any territory known by the name of West Florida threw discredit on the previous acts of President and Congress, and following the confusion due to the contradictory systems they had pursued, created a chaos which neither proclamations, Acts of Congress, treaties, nor decisions of the courts, numerous and positive as they might be, could reduce to order. History cannot tell by what single title the United States held West Florida.

East Florida threatened to become a worse annoyance. In January, 1811, as the story has told, the President, under authority of a secret Act of Congress, sent George Matthews and John McKee to take possession, under certain circumstances, of Mobile and Fernandina. Their written instructions were singularly loose. In general they were to take possession of East Florida only in case the Spanish authorities or 'the existing local authority' should wish it, or in case of actual British interference; but their conduct was to be 'regulated by the dictates of their own judgments, on a close view and accurate knowledge of the precise state of things there, and of the real disposition of the Spanish Government.'

Matthews's official reports assumed as a matter of course an intention in his Government to possess itself of East Florida. His letters made no disguise of his own acts or intentions.

Matthews carried out his mission by following the West Florida precedent as he understood it. March 16, 1812, some two hundred self-styled insurgents crossed the river, landed on Amelia Island, and summoned the garrison of Fernandina to surrender. At the same time the American gunboats, stationed on the river, took a position to watch the movement. The Spanish Commandant sent to inquire whether the American gun-boats meant to assist the insurgents, and receiving an answer in the affirmative, he capitulated to the so-called patriots. Independence was declared; an independent flag was raised; and when this formality ended, the patriots summoned General Matthews, who crossed the river with a company of the regular army, and March 19 took possession of Amelia Island, subject to the President's approval.

Matthews supposed his measures to be warranted by his instructions, and thought the Government bound to sustain him; but the Government took an opposite course. April 4, Monroe wrote to Matthews disavowing

the seizure of Amelia Island, and referring to the precedent of Baton Rouge as the proper course to have followed. ‘The United States did not take possession until after the Spanish authority had been subverted by a revolutionary proceeding, and the contingency of the country being thrown into foreign hands had forced itself into view.’ Matthews failed to see why one ‘revolutionary proceeding’ was not as good as another, or why the fiction of foreign interference might not serve as well at Fernandina as at Baton Rouge. He was excessively indignant, and believed his disavowal to be due to the publication of John Henry’s letters, which had made the President suddenly sensitive to the awkwardness of doing openly acts which he imputed as a crime in the Governor-General of Canada to imagine.

April 10, Monroe wrote to the Governor of Georgia, requesting him to take Matthews’s place and to restore Amelia Island to the Spanish authorities; but this order was for public use only, and not meant to be carried into effect. May 27, Monroe wrote again, saying: ‘In consequence of the commitment of the United States to the inhabitants, you have been already instructed not to withdraw the troops unless you find that it may be done consistently with their safety, and to report to the Government the result of your conferences with the Spanish authorities, with your opinion of their views, holding in the meantime the ground occupied.’

Governor Mitchell would have been a poor governor and still poorer politician had he not read such instructions as an order to hold Amelia Island as long as possible. Instead of re-establishing the Spanish authority at Fernandina, he maintained the occupation effected by Matthews. June 19, the day after declaring war against England, the House took up the subject on the motion of Troup of Georgia, and in secret session debated a bill authorizing the President not to withdraw the troops, but to extend his possession over the whole country of East and West Florida and to establish a government there. June 25, by a vote of seventy to forty-eight, the House passed this bill, which in due time went successfully through all its stages in the Senate until July 3, when the vote was taken on its passage. Only then three Northern Republicans — Bradley of Vermont, Howell of Rhode Island, and Leib of Pennsylvania — joining Giles, Samuel Smith, and the Federalists, defeated, by a vote of sixteen to fourteen, this bill which all the President’s friends in

both Houses supported as an Administration measure, and upon which the President promised to act with decision; but even after its failure the President maintained possession of Fernandina.

From the pacific theories of 1801 to the military methods of 1812 was a vast stride. When Congress rose, July 6, 1812, the whole national frontier and coast from Prairie du Chien to Eastport, from Eastport to St. Mary's, from St. Mary's to New Orleans — three thousand miles, incapable of defense — was open to the attacks of powerful enemies; while the Government at Washington had taken measures for the military occupation of the vast foreign territories northward of the Lakes and southward to the Gulf of Mexico.

## CHAPTER SEVENTY-EIGHT

### *Joel Barlow and the Repeal of the Orders in Council*

WHILE THE TWELFTH CONGRESS at Washington from November, 1811, until July, 1812, struggled with the declaration which was to spread war westward to the Mississippi River, Napoleon at Paris prepared the numberless details of the coming campaign that was to ravage Europe eastward as far as Moscow; and in this fury for destruction, no part remained for argument or diplomacy. Yet Joel Barlow, full of hope that he should succeed in solving the problem which had thus far baffled his Government, reached Paris, September 19, 1811, and began a new experience, ended a year later at Zarnovitch in Poland by a tragedy in keeping with the military campaign to which Barlow was in a fashion attached.

Joel Barlow felt himself at home in Paris. In 1788, at the age of thirty-four, he had first come abroad, and during seventeen exciting years had been rather French than American. In 1792, the National Convention conferred on him the privileges of French citizenship — an honor then shared only by Washington and Hamilton among Americans.

On the success of Barlow's mission the fate of President Madison might depend. As long as France maintained her attitude of hostility to the United States, war against England would be regarded by a majority of the Northern people with distrust and dislike. The opposition of New England and New York must be quieted, and in order to quiet it Madison must prove France to be honest in respecting American rights; he must show that the Decrees had been really repealed as he had so often and still so obstinately asserted.

The public had commonly supposed France to be comparatively a slight aggressor; but to the general surprise, when Congress, before the declaration of war against England, called for a return of captures under the belligerent edicts, Monroe's report showed that the seizures by France and by the countries under her influence in pursuance of the Decrees were not less numerous than those made by England under the Orders in Council. This result, hardly expected by the American Gov-

ernment, added to its embarrassment, but was only a part of its grievances against Napoleon. Not only had France since 1807 surpassed England in her outrages on American property, but while England encouraged American commerce with her own possessions, Napoleon systematically prohibited American commerce with his empire. The official returns made to Congress showed that in 1811 the United States exported domestic produce to the amount of \$45,294,000, of which France and Italy took only \$1,164,275.

Barlow arrived in Paris September 19, only to learn that on the same day the Emperor set out for Antwerp and Amsterdam. The Duc de Bassano received him kindly, assured him of the Emperor's order to begin upon business at once, and listened courteously to the American complaints and demands. Then he, too, departed for Holland, whence he returned only November 9, when at Washington Congress had been already a week in session.

During the months of November and December, Barlow held many interviews with Bassano, and made earnest efforts to obtain some written pledge in favor of American interests, but without success. December 19, he wrote that he was almost discouraged by the unexpected and unreasonable delay. Napoleon made no more seizures, and released such American vessels as were held for violation of the Decrees; but he conceded nothing in principle, and was far from abandoning his fiscal system against the United States. In order to meet Barlow's complaints, Bassano gathered together every token of evidence that the Decrees were not in force; but while he was asking the American minister how these facts could be doubted, a French squadron, January 8, 1812, sailed from Nantes with orders to destroy all neutral ships bound to or from an enemy's port. For several months American commerce was ravaged by these ships under the Emperor's order, in pursuance of his Decrees. January 19, Napoleon issued another order of the gravest character. His quarrel with Bernadotte, the new King of Sweden, had reached a rupture, and he carried out his threat of seizing the Swedish provinces south of the Baltic; but his orders to Marshal Davout were almost as hostile to the United States as to Sweden; 'As soon as you shall be sure of seizing a great quantity of colonial merchandise in Swedish Pomerania, you will take possession of that province; and you will cause to be seized both at Stralsund and Anklam, in short at all points in Pomerania,

whatever colonial merchandise may be found.' January 28 he wrote again: 'I wait with impatience your report on the colonial merchandise you shall have found in Pomerania.' He made no exceptions in favor of American property, for his need of money was greater than ever.

March 16, the *Moniteur* published Bassano's official report to the Emperor, which had the character of an imperial message to the conservative Senate. This document began by defining neutral rights as claimed by France; and while one of these claims required that the flag should cover all goods except arms and other munitions of war, another declared that no blockade was real except of a port 'invested, besieged, in the presumption of being taken'; and until these principles should be restored to force by England, 'the Decrees of Berlin and Milan must be enforced toward Powers that let their flags be denationalized; the ports of the Continent are not to be opened to denationalized flags or to English merchandise.'

Taking Bassano's report as proof that the United States would no longer maintain the repeal, the Prince Regent issued, April 21, 1812, a formal declaration, that in case those Decrees should at any future time by an authentic act publicly promulgated be expressly and unconditionally repealed, then the Orders in Council should be wholly and absolutely revoked. This step brought matters to a crisis. As soon as the Prince Regent's declaration reached Paris, May 1, 1812, Barlow wrote to the French Government a letter declaring that, between Bassano's report and the Prince Regent's declaration, proof that the Decrees were repealed had become absolutely necessary for the United States, and he followed up his notes by a conversation in which he pressed on the French Minister the danger of further trifling.

Then came the climax of imperial diplomacy. Neither Talleyrand nor Champagny had shown repugnance to falsehood; whatever end they wished, they used naturally and without hesitation the most convenient means. Yet free as they were from scruples, one might doubt whether Talleyrand or Champagny would have done what Bassano did; for when the American minister impatiently demanded some authentic evidence that the Decrees were repealed, Bassano complained that such a demand should be made when the American Government possessed the repealing Decree itself. Barlow was struck dumb with astonishment when the French Minister then passed to him a Decree signed by Napoleon at

Saint-Cloud, April 28, 1811, declaring his previous Decrees non-existent for American vessels after November 1, 1810.

That the American minister should have lost self-possession in the face of an act so surprising and so unexpected was natural, for Talleyrand himself could hardly have controlled his features on seeing this document, which for an entire year had been sought by the whole world in vain, and which suddenly appeared as a paper so well known as to need only an allusion. In his embarrassment Barlow asked the vacant question whether this Decree had been published, as though his surprise could be no greater had the document been printed in the *Moniteur* and the *National Intelligencer*, or been sent to Congress with the President's Annual Message. Bassano replied that it had not been published, but had been communicated at the time to Jonathan Russell and sent to Serurier with orders to communicate it to the Secretary of State.

If evidence were necessary to show that no such decree was issued April 28, 1811, Napoleon's correspondence proves that the Emperor did not consider the subject until April 29, and his note to the Council dated that day is proof that no such decree had then been adopted. Yet such a decree might naturally have been afterward antedated without objection. Had the Emperor signed it within the year 1811, he might have set what date upon it he liked, and need have made no mystery of the delay. The interest of Bassano's conduct lay not so much in his producing an antedated paper as in his averring that the paper was not antedated, but had been communicated to the American Government at the time. The flagrancy of the falsehood relieved it from the usual reproach of an attempt to deceive; but if it did not embarrass Bassano in the telling, it embarrassed President Madison beyond calculation in admitting.

Still more characteristic than the calmness with which Bassano made these announcements to the American minister at Paris was the circumstantial gravity with which he repeated them to his own minister at Washington. Writing the same day, May 10, 1812, he enclosed a copy of the Decree, explaining his reasons for doing so:

I have learned from Mr. Barlow that he is not acquainted with the Decree of April 28, 1811, . . . and I have addressed a copy to him. You yourself, sir, have never acknowledged its reception; you have never mentioned it in any of your dispatches; you have never dwelt upon it in any of your interviews with the American Secretary of State. This

silence makes me fear that the communication made of it to you under date of May 2, 1811, did not reach you, and I think it proper to enclose herewith a new copy.

Bold and often rash a diplomatist as Napoleon was, he still felt that at the moment of going to war with Russia he could not entirely disregard the wishes of the United States. In appearance he gave way, and sacrificed the system so long and so tenaciously defended; but in yielding, he chose means that involved the United States Government in common responsibility for his previous acts.

Deceived and deserted, Madison was driven without an ally into a war that required the strongest alliances. Mortified at the figure he had been made to present, he wrote to Barlow that the shameful conduct of the French Government would be an everlasting reproach to it, and that if peace were made with England, 'the full tide of indignation with which the public mind here is boiling' would be directed against France. His anger was the more bitter because of his personal outrage. The repealing Decree of April, 1811, spared no kind of humiliation, for it proved, even to himself, his error in asserting that Napoleon imposed no condition precedent on the original promise to withdraw his Decrees. On that point the Federalists were shown to be right, and Madison could offer no defense against their charge that he had made himself a tool of Napoleon.

When Bassano left Paris to follow Napoleon into Russia, he entrusted the negotiation with Barlow to the Duc Dalberg, by birth a German, who was in the imperial service. While Dalberg listened to Barlow and wrote long reports to Bassano, Napoleon, entering Russia, June 23, five days after Congress declared war against Great Britain, advanced to Wilna in Poland, where he remained until July 17, and then with five hundred thousand men plunged into the heart of Russia, leaving Bassano at Wilna with general charge of matters of State.

The Decrees of Berlin and Milan were no more repealed by the Decree of 1811, so unexpectedly produced by Bassano, than they had been by Champagny's famous letter of August 5, 1810; no order was ever given to any official of the Empire that carried the revocation into effect. While Bassano protested to Barlow against implications of the Emperor's good faith, Bassano's colleagues equally protested to Barlow that they had no authority to exempt American ships from the operation of the Decrees. Decrès, the Minister of Marine, gave orders to his cruisers to destroy all

vessels infringing the Decrees, and not even an apology could be wrung from him for the act. If Barlow lost patience at this conduct, the Duc Dalberg, with German simple-mindedness, felt even more acutely the odium of his part, and sent to Bassano remonstrances as strong as those he received from Barlow.

Plain as such language was, it could have no effect; for Bassano could do nothing without Napoleon's approval, and Napoleon was already beyond reach. September 7 he fought the battle of Borodino; September 15 he entered Moscow.

Bassano, struggling with the increasing difficulties of his position, invented a new expedient for gaining time. While Napoleon remained at Moscow, unable to advance and unwilling to retreat, Bassano wrote, October 11, from Wilna a letter to Barlow saying that the Emperor, regretting the delay which attended negotiation conducted at so great a distance, had put an end to the Duc Dalberg's authority and requested Barlow to come in person to Wilna. The request itself was an outrage, for its motive could not be mistaken. For an entire year Barlow had seen the French Government elude every demand he made, and he could not fail to understand that the journey to Wilna caused indefinite further delay, when a letter of ten lines to Dalberg might remove every obstacle; but however futile the invitation might be, refusal would have excused the French Government's inaction. Throughout life Barlow exulted in activity; a famous traveler, no fatigue or exposure checked his restlessness, and although approaching his sixtieth year he feared no journey. He accepted Bassano's invitation, and October 25 wrote that he should set out the following day for Wilna. A week earlier, Napoleon quitted Moscow, and began his retreat to Poland.

Ten days brought Barlow to Berlin, and already Napoleon's army was in full flight and in danger of destruction, although the winter had hardly begun. November 11, Barlow reached Königsberg and plunged into the wastes of Poland. Everywhere on the road he saw the devastation of war, and when he reached Wilna, November 18, he found only confusion. Everyone knew that Napoleon was defeated, but no one yet knew the tragedy that had reduced his army of half a million men to a desperate remnant numbering some fifty thousand. While Barlow waited for Napoleon's arrival, Napoleon struggled through one obstacle after another until the fatal passage of the Beresina, November 27, which dis-

solved his army and caused him to abandon it. December 5, at midnight, he started for Paris, having sent a courier in advance to warn the Duc de Bassano, who lost no time in dismissing his guests from Wilna, where they were no longer safe. Barlow quitted Wilna for Paris the day before Napoleon left his army; but Napoleon soon passed him on the road. The weather was very cold, the thermometer thirteen degrees below zero of Fahrenheit; but Barlow traveled night and day, and after passing through Warsaw, reached a small village called Zarnovitch near Cracow. There he was obliged to stop. Fatigue and exposure caused an acute inflammation of the lungs, which ended his life December 24, 1812. A week earlier Napoleon had reached Paris.

Barlow's death passed almost unnoticed in the general catastrophe of which it was so small a part. Not until March, 1813, was it known in America; and the news had the less effect because circumstances were greatly changed. Madison's earnestness in demanding satisfaction from France expressed not so much his own feelings as fear of his domestic opponents. The triumph of Russia and England strengthened the domestic opposition beyond hope of harmony, and left the President in a desperate strait. No treaty, either with or without indemnities, could longer benefit greatly the Administration, while Napoleon's overthrow threatened to carry down Madison himself in the general ruin.

Thus the year 1812 closed American relations with France in disappointment and mortification. Whatever hopes Madison might still cherish, he could not repeat the happy diplomacy of 1778 or of 1803. From France he could gain nothing. He had challenged a danger more serious than he ever imagined; for he stood alone in the world in the face of victorious England.

While Napoleon thus tried the temper of America, the Government of England slowly and with infinite reluctance yielded to American demands. The sweeping ruin that overwhelmed British commerce and industry in 1810 sank deep among the laboring classes in 1811. The seasons doubled the distress. The winter had been intense, the summer was unfavorable; wheat rose in the autumn to one hundred and forty-five shillings, or about thirty-six dollars the quarter, and as the winter of 1811 began, disorders broke out in the manufacturing districts. The inland counties reached a state of actual insurrection which no exercise of force seemed to repress. The American non-importation aggravated

the trouble, and worked unceasingly to shake the authority of Spencer Perceval, already one of the most unpopular ministers England had ever seen.

At the close of 1811 he showed still no signs of yielding; but news then arrived that the American Congress had met, and that the President's Message, the debates in the House, the tone of the press, and the feelings of the American people announced war. This was a new force with which Perceval could not deal.

No man of common-sense could charge England with want of courage, for if ever a nation had fought its way, England had a right to claim whatever credit such a career bestowed; but England lived in war, she knew its exact cost, and at that moment she could not afford it. The most bigoted Tory could see that if Napoleon succeeded in his coming attack on Russia, as he had hitherto succeeded in every war he had undertaken in Europe even when circumstances were less favorable, he would need only the aid of America to ruin beyond redemption the trade and finances of Great Britain.

Parliament met January 7, 1812, and the Prince Regent's Speech was studiously moderate in its reference to the United States. The Marquess Wellesley, refusing to serve longer under Perceval, resigned from the Cabinet January 16, and no one felt confident that Perceval could supply his place. During more than a month negotiations continued without result, until, February 22, Lord Castlereagh received the appointment of Foreign Secretary.

During this interval the movement against the Orders in Council gained strength. In the Commons, February 13, another debate occurred when Whitbread, in a strong American speech, moved for the diplomatic correspondence with the United States and was answered with some temper by Stephen and Perceval. Perceval closed his speech by declaring that sooner than yield to the repeal of the Orders in Council he would refuse share in any Administration. Alexander Baring answered that in this case war could hardly be avoided, and made an earnest appeal, founded on the distress of the manufacturing towns, in favor of the direct interference of Parliament to overrule the Minister.

Again, five days afterward, Baring attacked Perceval by an embarrassing motion on the subject of licenses. No such scandal as the license system had been known in England since the monopolies of the Tudors

and Stuarts. Most of the trade between Great Britain and the Continent was conducted by the Board of Trade on one side and Napoleon on the other, under special licenses issued for the carriage of specified articles. In 1807 the number of such licenses amounted to sixteen hundred; in 1810 they reached eighteen thousand. Owing to practical difficulties and to Napoleon's dislike, American vessels took few licenses. A nondescript class of so-called neutrals under the flags of Pappenberg, Kniphausen, and Varel, carrying double licenses and double sets of papers, served as the agents for this curious commerce which reeked with fraud and perjury. In the case of the *Aeolus*, August 8, 1810, the Court said: 'It is a matter perfectly notorious that we are carrying on the trade of the whole world under simulated and disguised papers.'

Baring's motion called up Perceval again. 'The only principle on which Government acted,' said he, 'was to secure to the natives of England that trade by means of licenses, the profits of which without them would devolve to the hands of aliens.' This admission, or avowal, seemed to yield the whole ground of complaint which America had taken; neither Perceval nor Rose ventured to defend the licenses as in themselves deserving support; they stood only by the system. Their attitude led to another and more famous debate, which added an interesting chapter to the history of England.

In the Lords, February 28, the Marquess of Lansdowne moved for a committee to consider the subject of the Orders in Council. Like all that Lord Lansdowne did, his speech was temperate and able; but his arguments were the same that have been so often repeated. Lord Bathurst, President of the Board of Trade, replied, 'Were they to put restraints on the freedom of British commerce for the simple purpose of giving the trade of Europe to the Americans?' This avowal, like those made by Perceval, seemed to concede the justice of American complaints; but perhaps it admitted only the reply made by Lord Holland, who said in plain words that the choice lay between the Orders and war, and that he could not suppose the Orders to be their Lordships' preference. Lansdowne's motion was rejected by a vote of one hundred and thirty-five to seventy-one.

In the Commons the great debate took place March 3, when Henry Brougham repeated Lansdowne's motion for a committee, after a speech showing as much self-restraint as clearness and force. In reply, George

Rose offered a general denial of the facts which Brougham alleged. He denied that the Orders injured the British export trade; that the license system injured British shipping or increased perjury; or that the Orders caused manufacturing distress. On all these points he arrayed statistics in his support; but toward the close of his speech he made a remark — such as had been made many times by every defender of the system — surrendering in effect the point in diplomatic dispute between England and the United States. ‘The honorable gentleman,’ he said, ‘had not been correct in calling these Orders a system of retaliation; they were rather a system of self-defense, a plan to prevent the whole trade of the world from being snatched away from her.’

Toward midnight, George Canning rose; and so keen was the interest and anxiety of the moment that more than four hundred members crowded in, curious to learn by what ingenuity Canning would defend a threatened vote against those Orders in Council of which he had been so long the champion.

For these Orders in Council [he said], so far as he had been connected with their adoption, he was ready to take his full share of responsibility. What Orders were truly meant? Why, they were the Orders in Council which, until he had heard the speech of the right honorable gentleman (Mr. Rose), he had always looked upon as retaliatory upon the enemy; which had been so understood in every instance, until the Vice-President of the Board of Trade, in contradiction to every statement which had hitherto been given to the public on the subject — in contradiction to every document in office respecting these Orders — in contradiction to every communication which he (Mr. Canning) had made, and every dispatch written in his official character explanatory of their nature and spirit — in contradiction to every speech which had been made in Parliament in defense of them — had thought proper to represent them not as measures retaliatory upon the enemy, but as measures of self-defense.... If they were not to retaliate directly against the enemy, but to be defensive against a rival in trade — if they were not to be belligerent measures, but purely defensive — then all the arguments by which they had hitherto been supported would fail to apply.

To the amazement of friend and foe Canning next attacked the license system as one of which he had little knowledge, but whose details required investigation. As for America, as he was the last man who would lay the honor of the country at her feet, so would he be among the first

to go far in the work of honorable conciliation, and he would not oppose the motion before the House because it might have incidentally the effect of conciliating her.

Perceval was obliged to rescue Rose, but in doing so made the case worse rather than better as far as regarded America. No one knew so well as Perceval where to strike with effect at Canning; for not only could he show that from the first Canning was privy to the system of forcing commerce upon France, but he had preserved the letter in which Canning at the outset advised him to keep out of sight the exceptions which gave the measure the air of a commercial rather than a political transaction. Canning, during two years of his official life, had given steady though silent support to the Board of Trade in its persistent efforts to supply France, by means of licenses in thousands and smuggling without limit, with every product known to commerce. Such conduct challenged the severest retort, but Perceval made none. He could at least understand the impossibility of exposing Canning without also exposing himself.

The debate ended in a division. One hundred and forty-four members, including Canning and Wilberforce, went into the lobby with Brougham. Only a majority of seventy-two remained to be overcome; and to Brougham's energetic nature such a majority offered an incentive to exertion.

In the effort to strengthen his Ministry, Perceval persuaded Lord Sidmouth to enter the Cabinet, but only on condition that the Orders should be left an open question. Sidmouth plainly said that he would rather give up the Orders than face an American war. He also asked that the license system should be renounced. Perceval replied that this would be a greater sacrifice than if the licenses had never been granted. Lord Sidmouth was not a great man — Canning despised his abilities, and the Prince of Wales called him a blockhead; but he was, except Lord Castle-reagh, the only ally to be found, and Perceval accepted him on his own terms.

Had the United States at that moment been so fortunate as to enjoy the services of Pinkney in London, or of any man whose position and abilities raised him above the confusion of party politics, he might have convinced them that war was unnecessary. The mere threat was sufficient. Sidmouth's entrance into the Cabinet showed the change of current, and once Perceval began to give way, he could not stop. Un-

fortunately the United States had no longer a minister in England. In July, 1811, the President ordered Jonathan Russell to London to act as chargé until a minister should be appointed, which he added would be done as soon as Congress met; but he changed his mind and appointed no minister, while Jonathan Russell, seeing that Perceval commanded a majority and was determined to maintain his system, reported the situation as hopeless.

Brougham, without taking the precaution of giving Russell the daily information he so much needed, devoted all his energies to pressing the popular movement against the Orders in Council. Perceval and Stephen did their best to stem the tide, but were slowly overborne, and seemed soon to struggle only for delay.

Then followed a melodramatic change. May 11, as the Prime Minister entered the House to attend the investigation, persons about the door heard the report of a pistol, and saw Spencer Perceval fall forward shot through the heart. By the hand of a lunatic moved only by imaginary personal motives, this Minister, who seemed in no way a tragical figure, became the victim of a tragedy without example in modern English history; but although England had never been in a situation more desperate, the true importance of Spencer Perceval was far from great, and when he vanished in the flash of a pistol from the stage where he seemed to fill the most considerable part, he stood already on the verge of overthrow. His death relieved England of a burden.

The alarm caused by news that Congress had imposed an embargo as the last step before war, the annoyance created by John Henry's revelations and Castlereagh's lame defense, the weight of evidence pressing on Parliament against the Orders in Council, the absence of a strong or permanent Ministry — these influences, gaining from day to day, forced the conviction that a change of system must take place. June 8, Lord Liverpool announced that he had formed an Administration, and would deal in due course with the Orders in Council. June 16, Brougham made his motion for a repeal of the Orders. When Brougham ended, Lord Castlereagh — after Perceval's death the leader of the House — rose and awkwardly announced that the Government, though till within three or four days unable to deliberate on the subject, had decided to suspend immediately the Orders in Council.

Thus ended the long struggle waged for five years by the United States

against the most illiberal Government known in England within modern times. Everyone knew that the danger, already almost a certainty, of an American war chiefly caused the sudden and silent surrender, and that the Ministry like the people shrank from facing the consequences of their own folly.

Such concessions were commonly the result rather than the prelude of war; they were not unlike those by which Talleyrand succeeded, in 1799, in restoring friendly relations between France and America. Three months earlier they would have answered their purpose; but the English were a slow and stubborn race. Perhaps that they should have repealed the Orders at all was more surprising than that they should have waited five years; but although they acted more quickly and decidedly than was their custom, Spencer Perceval lived three months too long. The Orders in Council were abandoned at Westminster June 17; within twenty-four hours at Washington war was declared; and forty-eight hours later, Napoleon, about to enter Russia, issued the first bulletin of his Grand Army.

## CHAPTER SEVENTY-NINE

### *The Invasion of Canada*

FOR CIVIL AFFAIRS Americans were more or less trained; but they had ignored war, and had shown no capacity in their treatment of military matters. Their little army was not well organized or equipped; its civil administration was more imperfect than its military, and its military condition could hardly have been worse.

If the army in rank and file was insufficient, its commanding officers supplied none of its wants. The senior major-general appointed by President Madison in February, 1812, was Henry Dearborn, who had retired in 1809 from President Jefferson's Cabinet into the Custom-House of Boston.

The other major-general appointed at the same time was Thomas Pinckney, of South Carolina, who received command of the Southern Department. Pinckney was a year older than Dearborn; he had been minister in England and envoy extraordinary to Spain, where he negotiated the excellent treaty known by his name; he had been also a Federalist member of Congress in the stormy sessions from 1797 to 1801 — but none of these services, distinguished as they were, seemed to explain his appointment as major-general.

Of the brigadier-generals the senior was James Wilkinson, born in 1757, and fifty-five years old in 1812. Wilkinson had recently been tried by court-martial on a variety of charges, beginning with that of having been a pensioner of Spain and engaged in treasonable conspiracy; then of being an accomplice of Aaron Burr; and finally, insubordination, neglect of duty, wastefulness, and corruption. The court acquitted him, yet in spite of acquittal Wilkinson stood in the worst possible odor, and returned what he considered his wrongs by bitter and contemptuous hatred for the President and the Secretary of War.

The next brigadier was Wade Hampton of South Carolina, who entered the service in 1808, and was commissioned as brigadier in 1809. Born in 1754, he was fifty-seven years old, and though understood to be a good officer, he had as yet enjoyed no opportunity of distinguishing himself. Next in order came Joseph Bloomfield of New Jersey, nominated as brigadier-general of the regular army March 27, 1812; on the same day

James Winchester of Tennessee was named fourth brigadier; and April 8, William Hull of Massachusetts was appointed fifth in rank. Bloomfield, a major in the Revolutionary War, had been for the last ten years Governor of New Jersey. Winchester, another old Revolutionary officer, originally from Maryland, though mild, generous, and rich, was not the best choice that might have been made from Tennessee. William Hull, civil Governor of Michigan since 1805, was a third of the same class. All were sixty years of age or thereabout, and none belonged to the regular service.

One week after declaring war, Congress fixed the war establishment at twenty-five regiments of infantry, four of artillery, two of dragoons, and one of riflemen — making, with the engineers and artificers, an army of thirty-six thousand seven hundred men; yet the actual force under arms did not exceed ten thousand, of whom four thousand were new recruits.

However inexperienced the Government might be, it could not overlook the necessity of providing for one vital point. Detroit claimed early attention, and received it. The dangers surrounding Detroit were evident to anyone who searched the map for that remote settlement, within gunshot of British territory and surrounded by hostile Indian tribes. The Governor of Michigan, William Hull, a native of Connecticut, had done good service in the Revolutionary War, but had reached the age of sixty years without a wish to resume his military career. He came to Washington in February, 1812, and urged the Government to take timely measures for holding the Indians in check. The President decided to march first a force to Detroit strong enough to secure the frontier, and, if possible, to occupy the whole or part of the neighboring and friendly British territory in Upper Canada.

This hazardous plan required energy in the American armies, timely co-operation from Niagara if not from Lake Champlain, and, most of all, assumed both incompetence and treason in the enemy. To provide for simultaneous measures against Lower Canada, the Secretary of War sent to Boston for General Dearborn, who was to command operations on Lake Ontario and the St. Lawrence River. Dearborn hastened to Washington in February, where he remained until the last of April.

While these matters were under discussion in March, the President, unable to find an army officer fitted to command the force ordered to Detroit, pressed Governor Hull to reconsider his refusal; and Hull, yield-

ing to the President's wish, was appointed, April 8, 1812, brigadier-general of the United States Army, and soon afterward set out for Ohio.

The force destined for Detroit consisted of three regiments of Ohio militia, a troop of Ohio dragoons, and the Fourth Regiment of United States Infantry which fought at Tippecanoe — in all about sixteen hundred effective men, besides a few volunteers. April 1 the militia were ordered to rendezvous at Dayton, and there, May 25, Hull took command. June 1 they marched, and June 10 were joined at Urbana by the Fourth Regiment. Detroit was nearly two hundred miles away, and the army as it advanced was obliged to cut a road through the forest, to bridge streams and construct causeways.

Hull had moved only some seventy-five miles, when, June 26, he received from Secretary Eustis a dispatch, forwarded by special messenger from the Department, to warn him that war was close at hand. Hull had every reason to understand its meaning, for he expected to lead his army against the enemy. On receiving the Secretary's pressing orders, Hull left his heavy camp-equipage behind and hurried his troops to the Miami, or Maumee, River, thirty-five miles away. There he arrived June 30, and there, to save transportation, loading a schooner with his personal baggage, his hospital stores, entrenching tools, and even a trunk containing his instructions and the muster-rolls of his army, he dispatched it, July 1, up the Lake toward Detroit. He took for granted that he should receive from his own Government the first notice of war; yet he knew that the steamboat from New York to Albany and the road from Albany to Buffalo, which carried news to the British forces at Malden, was also the regular mode of conveyance for Detroit; and he had every reason to suspect that as his distance in time from Washington was greater, he might learn of war first from actual hostilities. Hull considered 'there was no hazard' in sending his most valuable papers past Malden; but within four-and-twenty hours he received a dispatch from Secretary Eustis announcing the declaration of war, and the same day his schooner was seized by the British in passing Malden to Detroit.

Hull reached Detroit July 5. At that time the town contained about eight hundred inhabitants within gunshot of the British shore. The fort was a square enclosure of about two acres, surrounded by an embankment, a dry ditch, and a double row of pickets. Although capable of standing a siege, it did not command the river; its supplies were in-

sufficient for many weeks; it was two hundred miles distant from support, and its only road of communication ran for sixty miles along the edge of Lake Erie, where a British fleet on one side and a horde of savages on the other could always make it impassable.

July 9, four days after his arrival, Hull received orders from Washington authorizing him to invade Canada. Three days later, July 12, his army crossed the river. Not a gun was fired. The British militia force retired behind the Canard River, twelve miles below, while Hull and his army occupied Sandwich, and were well received by the inhabitants.

Hull had many reasons for wishing to avoid a battle. From the first he looked on the conquest of Canada as a result of his mere appearance. He began by issuing a proclamation intended to win a peaceful conquest.

You will be emancipated [said the proclamation to the Canadians] from tyranny and oppression, and restored to the dignified station of freemen.

... I have a force which will break down all opposition, and that force is but the vanguard of a much greater. ... The United States offer you peace, liberty, and security — your choice lies between these and war, slavery, or destruction. Choose then; but choose wisely....

This proclamation, dated July 12, was spread throughout the province with no small effect, although it contained an apparently unauthorized threat, that 'no white man found fighting by the side of an Indian will be taken prisoner; instant death will be his lot.'

In order to understand Hull's situation, readers must know what Dearborn and Eustis were doing. Dearborn's movements, compared day by day with those of Hull, show that after both officers left Washington in April to take command of their forces, Hull reached Cincinnati May 10, while Dearborn reached Albany May 3, and wrote, May 8, to Eustis that he had fixed on a site to be purchased for a military station. 'The recruiting seems going on very well where it has been commenced. There are nearly three hundred recruits in this State.' If Dearborn was satisfied with three hundred men as the result of six weeks' recruiting in New York State in immediate prospect of a desperate war, he was likely to take his own duties easily; and in fact, after establishing his headquarters at Albany for a campaign against Montreal, he wrote, May 21, to the Secretary announcing his departure for Boston.

Dearborn reached Boston May 26, the day after Hull took command at Dayton. May 29, he wrote again to Eustis: 'I have been here three

days. . . . There are about three hundred recruits in and near this town. . . . Shall return to Albany within a few days.' Dearborn found business accumulate on his hands. The task of arranging the coast defenses absorbed his mind. He forgot the passage of time, and while still struggling with questions of gunboats, garrisons, field-pieces, and enlistments he was surprised, June 22, by receiving the declaration of war.

Madison and Eustis seemed at first satisfied with this mode of conducting the campaign. June 24, Eustis ordered Hull to invade West Canada, and extend his conquests as far as practicable. Not until June 26 did he write to Dearborn:

Having made the necessary arrangements for the defense of the seacoast, it is the wish of the President that you should repair to Albany and prepare the force to be collected at that place for actual service. . . . It is altogether uncertain at what times General Hull may deem it expedient to commence offensive operations. The preparations it is presumed will be made to move in a direction for Niagara, Kingston, and Montreal. On your arrival at Albany you will be able to form an opinion of the time required to prepare the troops for action.

Such orders as those of June 24 to Hull, and of June 26 to Dearborn, passed beyond bounds of ordinary incapacity and approached the line of culpable neglect. Hull was to move when he liked, and Dearborn was to take his own time at Boston before beginning to organize his army. Yet the letter to Dearborn was less surprising than Dearborn's reply. The major-general in charge of operations against Montreal, Kingston, and Niagara should have been able to warn his civil superior of the risks incurred in allowing Hull to make an unsupported movement from an isolated base such as he knew Detroit to be; but no thought of Hull found place in Dearborn's mind. July 1 he wrote:

There has been nothing yet done in New England that indicates an actual state of war, but every means that can be devised by the Tories is in operation to depress the spirits of the country. Hence the necessity of every exertion on the part of the Government for carrying into effect the necessary measures for defense or offense. We ought to have gunboats in every harbor on the coast. Many places will have no other protection, and all require their aid. I shall have doubts as to the propriety of my leaving this place until I receive your particular directions after you shall have received my letter.

A General-in-Chief unable to decide at the beginning of a campaign in what part of his department his services were most needed was sure to be taught the required lesson by the enemy. The two months he passed in Boston were thrown away; the enlistments were so few as to promise nothing, and the Governor of Massachusetts barely condescended to acknowledge without obeying his request for militia to defend the coast. July 26, Dearborn reached Albany and found there some twelve hundred men not yet organized or equipped. He found also a letter, dated July 20, from the Secretary of War. ‘You will make such arrangements with Governor Tompkins,’ wrote Eustis, ‘as will place the militia detached by him for Niagara and other posts on the Lakes under your control; and there should be a communication, and if practicable a co-operation, throughout the whole frontier.’

The Secretary as early as June 24 authorized Hull to invade Canada West, and his delay in waiting till July 20 before sending similar orders to the General commanding the force at Niagara was surprising; but if Eustis’s letter seemed singular, Dearborn’s answer passed belief. For the first time General Dearborn then asked a question in regard to his own campaign — a question so extraordinary that every critic found it an enigma: ‘Who is to have command of the operations in Upper Canada? I take it for granted that my command does not extend to that distant quarter.’

July 26, when Hull had been already a fortnight on British soil, the only force at Niagara consisted of a few New York militia, not co-operating with Hull or under the control of any United States officer, while the Major-General of the Department took it for granted that Niagara was not included in his command. The Government therefore expected General Hull, with a force which it knew did not at the outset exceed two thousand effectives, to march two hundred miles, constructing a road as he went; to garrison Detroit; to guard at least sixty miles of road under the enemy’s guns; to face a force in the field equal to his own, and another savage force of unknown numbers in his rear; to sweep the Canadian peninsula of British troops; to capture the fortress at Malden and the British fleet on Lake Erie — and to do all this without the aid of a man or a boat between Sandusky and Quebec.

General Hull, two days after entering Canada, called a council of war, which decided against storming Malden and advised delay. The Ohio

militia, although their officers acquiesced in the opinion of the council of war, were very unwilling to lose their advantage. If nothing was to be gained by attack, everything was likely to be lost by delay.

Hull tried to persuade himself that he could take Malden by siege. This was Hull's last expression of confidence or hope. Thenceforward every day brought him fatal news. His army lost respect for him in consequence of his failure to attack Malden; the British strengthened the defenses of Malden, and August 8 received sixty fresh men of the Forty-First under Colonel Proctor from Niagara; but worse than mutiny or British reinforcement, news from the Northwest of the most disastrous character reached Hull at a moment when his hopes of taking Malden had already faded. August 3, the garrison of Michillimackinaw arrived at Detroit as prisoners of war on parole, announcing that Mackinaw had capitulated July 17 to a force of British and savages, and that Hull must prepare to receive the attack of a horde of Indians coming from the Northwest to fall upon Detroit in the rear.

Hull called another council of war August 5, which, notwithstanding this news, decided to attack Malden August 8, when the heavy artillery should be ready; but while they were debating this decision, a party of Indians under Tecumthe crossing the river routed a detachment of Findlay's Ohio regiment on their way to protect a train of supplies coming from Ohio. The army mail-bags fell into British hands. Hull then realized that his line of communication between Detroit and the Maumee River was in danger, if not closed.

Hull decided at once to recross the river, and succeeded in effecting this movement on the night of August 8 without interference from the enemy; but his position at Detroit was only one degree better than it had been at Sandwich. He wished to abandon Detroit and retreat behind the Maumee, and August 9 proposed the measure to some of his principal officers. Colonel Cass replied that if this were done, every man of the Ohio militia would refuse to obey, and would desert their general; that the army would fall to pieces if ordered to retreat. Hull considered that this report obliged him to remain where he was.

The difficulties of Canada were even greater than those of the United States. Upper Canada, extending from Detroit River to the Ottawa within forty miles of Montreal, contained not more than eighty thousand persons. The political capital was York, afterward Toronto, on Lake

Ontario. The civil and military command of this vast territory was in the hands of Brigadier-General Isaac Brock, a native of Guernsey, forty-two years old, who had been colonel of the Forty-Ninth Regiment of the British line, and had served since 1802 in Canada. The appointment of Brock in October, 1811, to the chief command at the point of greatest danger was for the British a piece of good fortune, or good judgment, more rare than could have been appreciated at the time, even though Dearborn, Hull, Winchester, Wilkinson, Sir George Prevost himself, and Colonel Proctor were examples of the common standard. Brock was not only a man of unusual powers, but his powers were also in their prime. Neither physical nor mental fatigue such as followed his rivals' exertions paralyzed his plans. No scruples about bloodshed stopped him midway to victory. He stood alone in his superiority as a soldier.

Under Brock's direction, during the preceding winter vessels had been armed on Lake Erie, and Malden had been strengthened by every means in his power. These precautions gave him from the outset the command of the lake, which in itself was almost equivalent to the command of Detroit. Of regular troops he had but few. The entire regular force in both Canadas at the outbreak of the war numbered six thousand three hundred and sixty rank and file, or about seven thousand men including officers. More than five thousand of these were stationed in Lower Canada.

Brock's energy counterbalanced every American advantage. Although he had but about fifteen hundred regular troops in his province, and was expected to remain on the defensive, the moment war was declared, June 26, he sent to Amherstburg all the force he could control, and ordered the commandant of the British post at the island of St. Joseph on Lake Huron to seize the American fort at Michillimackinaw. When Hull issued his proclamation of July 12, Brock replied by a proclamation of July 22. To Hull's threat that no quarter should be given to soldiers fighting by the side of Indians, Brock responded by 'the certain assurance of retaliation.' In truth, the American complaint that the British employed Indians in war meant nothing to Brock, whose loss of his province by neglect of any resource at his command might properly have been punished by the utmost penalty his Government could inflict.

Meanwhile, at Washington, Eustis sent letter after letter to Dearborn, pressing for a movement from Niagara. July 26 he repeated the order of

July 20. August 1 he wrote, enclosing Hull's dispatch of July 19: 'You will make a diversion in his favor at Niagara and at Kingston as soon as may be practicable, and by such operations as may be within your control.'

Dearborn awoke August 3 to the consciousness of not having done all that man could do. He began arrangements for sending a thousand militia to Niagara, and requested Major-General Stephen Van Rensselaer of the New York State militia to take command there in person.

Desperate as Hull's position was, Dearborn succeeded within four-and-twenty hours by an extraordinary chance in almost extricating him, without being conscious that his action more than his neglect affected Hull's prospects. This chance was due to the reluctance of the British Government to accept the war. Immediately after the repeal of the Orders in Council the new Ministry of Lord Liverpool ordered their minister, Foster, to conclude an armistice in case hostilities had begun, and requested their Governor-General to avoid all extraordinary preparations. These orders, given in good faith by the British Government, were exceeded by Sir George Prevost, who had every reason to wish for peace. Although he could not make an armistice without leaving General Hull in possession of his conquests in Upper Canada, which might be extensive, Prevost sent his adjutant-general, Colonel Baynes, to Albany to ask a cessation of hostilities, and the same day, August 2, wrote to General Brock warning him of the proposed step. Colonel Baynes reached headquarters at Albany August 9, and obtained from Dearborn an agreement that his troops, including those at Niagara, should act only on the defensive until further orders from Washington: 'I consider the agreement as favorable at this period,' wrote Dearborn to Eustis, 'for we could not act offensively except at Detroit for some time, and there it will not probably have any effect on General Hull or his movements.'

What effect the armistice would have on Hull might be a matter for prolonged and serious doubt, but that it should have no effect at all would have occurred to no ordinary commander. Dearborn had been urgently ordered, August 1, to support Hull by a vigorous offensive at Niagara, yet August 9 he agreed with the British general to act only on the defensive at Niagara.

Had Brock moved less quickly, or had the British Government sent its instructions a week earlier, the armistice might have saved Detroit.

The chance was narrow, for even an armistice unless greatly prolonged would only have weakened Hull, especially as it could not include Indians other than those actually in British service; but even the slight chance was lost by the delay until August 9 in sending advices to Niagara and Detroit, for Brock left Long Point August 8, and was already within four days of Detroit when Dearborn wrote from Albany.

August 13, the British began to establish a battery on the Canadian side of the river to bombard Detroit. Within the American lines the army was in secret mutiny. Hull's vacillations and evident alarm disorganized his force. The Ohio colonels were ready to remove him from his command, which they offered to Lieutenant-Colonel Miller of the United States Fourth Regiment; but Colonel Miller declined this manner of promotion, and Hull retained control. August 12, the three colonels united in a letter to the Governor of Ohio, warning him that the existence of the army depended on the immediate dispatch of at least two thousand men to keep open the line of communication. 'Our supplies must come from our State; this country does not furnish them.' A postscript added that even a capitulation was talked of by the commander-in-chief. In truth Hull, who like most commanders-in-chief saw more of the situation than was seen by his subordinates, made no concealment of his feelings. Moody, abstracted, wavering in his decisions, and conscious of the low respect in which he was held by his troops, he shut himself up and brooded over his desperate situation.

On the evening of August 14, Hull made one more effort. He ordered two of the Ohio colonels, McArthur and Cass, to select the best men from their regiments and to open if possible a circuitous route of fifty miles through the woods to the river Raisin. The operation was difficult, fatiguing, and dangerous; but the supplies so long detained at the Raisin, thirty-five miles away by the direct road, must be had at any cost, and the two Ohio colonels aware of the necessity promptly undertook the service. By nighttime they were already beyond the river Rouge, and the next evening, August 15, were stopped by a swamp less than halfway to the river Raisin.

After their departure on the night of August 14, Hull learned that Brock had reached Malden the night before with heavy reinforcements. According to Hull's later story, he immediately sent orders to McArthur and Cass to return to Detroit, giving the reasons for doing so; in fact, he

did not send till the afternoon of the next day, and the orders reached the detachment four-and-twenty miles distant only at sunset August 15. So it happened that on the early morning of August 16, Hull was guarding the fort and town of Detroit with about two hundred and fifty effective men of the Fourth Regiment, about seven hundred men of the Ohio militia, and such of the Michigan militia and Ohio volunteers as may have been present — all told, about a thousand effectives.

Meanwhile, Brock acted with rapidity and decision. After reaching Malden late at night August 13, he held a council the next day, said to have been attended by a thousand Indian warriors.

Among the Indians whom I found at Amherstburg [he reported to Lord Liverpool], and who had arrived from distant parts of the country, I found some extraordinary characters. He who attracted most of my attention was a Shawnee chief, Tecumset, brother to the Prophet, who for the last two years has carried on contrary to our remonstrances an active warfare against the United States. A more sagacious or more gallant warrior does not, I believe, exist. He was the admiration of everyone who conversed with him.

Brock consumed one day in making his arrangements with them, and decided to move his army immediately across the Detroit River and throw it against the fort.

At noon August 15, Brock sent a summons of surrender across the river to Hull. ‘The force at my disposal,’ he wrote, ‘authorizes me to require of you the surrender of Detroit. It is far from my inclination to join in a war of extermination, but you must be aware that the numerous body of Indians who have attached themselves to my troops will be beyond my control the moment the contest commences.’ The threat of massacre or Indian captivity struck Hull’s most sensitive chord. After some delay he replied, refusing to surrender, and then sent orders recalling McArthur’s detachment; but the more he thought of his situation, the more certain he became that the last chance of escape had vanished.

During the night Tecumthe and six hundred Indians crossed the river some two miles below and filled the woods, cutting communication between McArthur’s detachment and the fort. A little before daylight of August 16, Brock himself, with three hundred and thirty regulars and four hundred militia, crossed the river carrying with them three six-pound and two three-pound guns. He had intended to take up a strong position and force Hull to attack it; but learning from his Indians that

McArthur's detachment, reported as five hundred strong, was only a few miles in his rear, he resolved on an assault, and moved in close column within three quarters of a mile of the American twenty-four-pound guns. Had Hull prayed that the British might deliver themselves into his hands, his prayers could not have been better answered. Even under trial for his life, he never ventured to express a distinct belief that Brock's assault could have succeeded; and in case of failure the small British force must have retreated at least a mile and a half under the fire of the fort's heavy guns, followed by a force equal to their own, and attacked in flank and rear by McArthur's detachment, which was within hearing of the battle and marching directly toward it.

All this time Hull was in extreme distress. The cannon-shot from the enemy's batteries across the river were falling in the fort. Uncertain what to do, the General sat on an old tent on the ground with his back against the rampart. 'He apparently unconsciously filled his mouth with tobacco, putting in quid after quid more than he generally did; the spittle colored with tobacco-juice ran from his mouth on his neckcloth, beard, cravat, and vest.' He seemed preoccupied, his voice trembled, he was greatly agitated, anxious, and fatigued. Knowing that sooner or later the fort must fall, and dreading massacre for the women and children; anxious for the safety of McArthur and Cass, and treated with undisguised contempt by the militia officers — he hesitated, took no measure to impede the enemy's advance, and at last sent a flag across the river to negotiate.

As Brock, after placing his troops under cover, ascended the brow of the rising ground to reconnoiter the fort, a white flag advanced from the battery before him, and within an hour the British troops, to their own undisguised astonishment, found themselves in possession of the fortress. The capitulation included McArthur's detachment and the small force covering the supplies at the river Raisin. The army, already mutinous, submitted with what philosophy it could command to the necessity it could not escape.

On the same day at the same hour Fort Dearborn at Chicago was in flames. The Government provided neither for the defense nor for the safe withdrawal of the little garrison, but Hull had sent an order to evacuate the fort if practicable. In the process of evacuation, August 15, the garrison was attacked and massacred by an overwhelming body of Indians. The next morning the fort was burned, and with it the last vestige of American authority on the western lakes disappeared.

## CHAPTER EIGHTY

### *The Niagara Campaign and Naval Battles*

ALTHOUGH THE LOSS OF DETROIT caused the greatest loss of territory that ever before or since befell the United States, the public at large understood little of the causes that made it inevitable, and saw in it only an accidental consequence of Hull's cowardice. Against this victim, who had no friend in the world, every voice was raised. He was a coward, and imbecile, but above all unquestionably a traitor, who had, probably for British gold, delivered an army and a province, without military excuse, into the enemy's hands.

The storm of public wrath which annihilated Hull and shook Eustis passed harmless over the head of Dearborn. No one knew that Dearborn was at fault, for he had done nothing; and a general who did nothing had that advantage over his rivals whose activity or situation caused them to act.

After the capture of Detroit, Dearborn's turn came, and nothing could save him from a fate as decided if not as fatal as that of Hull. His armistice indeed would have answered the purpose of protection had the Government understood its true bearing; but Dearborn's letter announcing the armistice reached Washington August 13, and the Secretary of War seeing the dangers and not the advantages of a respite replied, August 15, in language more decided than he had yet used:

I am commanded by the President to inform you that there does not appear to him any justifiable cause to vary or desist from the arrangements which are in operation; and I am further commanded to instruct you that from and after the receipt of this letter and allowing a reasonable time in which you will inform Sir George Prevost thereof, you will proceed with the utmost vigor in your operations. How far the plan originally suggested by you of attacking Niagara, Kingston, and Montreal at the same time can be rendered practicable, you can best judge.

The same day, August 15, the eve of Hull's surrender, Dearborn wrote to the Secretary of War, 'If the troops are immediately pushed on from the southward, I think we may calculate on being able to possess ourselves of Montreal and Upper Canada before the winter sets in.'

As yet nothing had been done. August 19, General Van Rensselaer

reported from Lewiston that between Buffalo and Niagara he commanded less than a thousand militia, without ordnance heavier than six-pounders and but few of these, without artillerists to serve the few pieces he had, and the troops in a very indifferent state of discipline. In pursuance of his orders he collected the force within his reach, but August 18 received notice of Dearborn's armistice and immediately afterward of Hull's surrender. August 23, Brock, moving with his usual rapidity, reappeared at Fort George with Hull's army as captives.

In Dearborn's letters nothing was said of the precise movement intended, but through them all ran the understanding that as soon as the force at Niagara should amount to six thousand men a forward movement should be made. The conditions supposed to be needed for the advance were more than fulfilled in the early days of October. October 13 Dearborn wrote to Van Rensselaer: 'I am confidently sure that you will embrace the first practicable opportunity for effecting a forward movement.' This opportunity had then already arrived.

Brock with less than two thousand men guarded nearly forty miles of front along the Niagara River, holding at Queenston only two companies of the Forty-Ninth Regiment with a small body of militia — in all about three hundred men. Brock was himself at Fort George, some five miles below Queenston, with the greater part of the Forty-First Regiment, which he had brought back from Detroit, and a number of Indians. The rest of his force was at Chippawa and Fort Erie, opposite Buffalo, where the real attack was expected.

Van Rensselaer fixed the night of October 10 for his movement, and marched the troops to the river at the appointed time; but the crossing was prevented by some blunder in regard to boats, and the troops after passing the night exposed to a furious storm returned to camp. After this miscarriage Van Rensselaer would have waited for a council of war, but the tone of his officers and men satisfied him that any sign of hesitation would involve him in suspicion and injure the service. He postponed the movement until the night of October 12.

At three o'clock on the morning of October 13, the first body of troops embarked. Thirteen boats had been provided. Three of these lost their way, or were forced by the current downstream until obliged to return. Daylight appeared, and at a quarter before seven Brock himself galloped up and mounted the hill above the river to watch the contest from an

eighteen-pounder battery on the hilltop. At the same moment Captain Wool with a few men of his regiment climbed up the same heights from the river-side by a path which had been reported to Brock as impassable, and was left unguarded. Reaching the summit, Wool found himself about thirty yards in the rear of the battery from which Brock was watching the contest below. By a rapid flight on foot Brock escaped capture, and set himself immediately to the task of recovering the heights. He had early sent for the Forty-First Regiment under General Sheaffe from Fort George, but without waiting reinforcements he collected a few men — about ninety, it is said — of the Forty-Ninth Regiment who could be spared below, and sent them to dislodge Wool. The first British attack was beaten back. The second, in stronger force with the York Volunteers, was led by Brock in person; but while he was still at the foot of the hill, an American bullet struck him in the breast and killed him on the spot.

At ten o'clock in the morning, Captain Wool, though painfully wounded, held the heights with two hundred and fifty men; but the heights had no value except to cover or assist the movement below, where the main column of troops with artillery and intrenching tools should have occupied Queenston and advanced or fortified itself. When Lieutenant-Colonel Christie, at about seven o'clock, having succeeded in crossing the river, took command of the force on the river bank, he could do nothing for want of men, artillery, and intrenching tools. He could not even dislodge the enemy from a stone house whence two light pieces of artillery were greatly annoying the boats. Unable to move without support he recrossed the river, found General Van Rensselaer half a mile beyond, and described to him the situation. Van Rensselaer sent orders to General Smyth to march his brigade to Lewiston 'with every possible dispatch,' and ordered Captain Totten of the Engineers across the river, with intrenching tools, to lay out a fortified camp.

Toward noon General Van Rensselaer himself crossed with Christie to Queenston and climbed the hill, where Lieutenant-Colonel Winfield Scott had appeared as a volunteer and taken the command of Captain Wool's force. Toward three o'clock Lieutenant-Colonel Christie joined the party on the hill. Brigadier-General William Wadsworth of the New York militia was also on the ground, and some few men arrived, until three hundred and fifty regulars and two hundred and fifty militia are said to have been collected on the heights. From their position, at two

o'clock, Van Rensselaer and Scott made out the scarlet line of the Forty-First Regiment advancing from Fort George. From Chippawa every British soldier who could be spared hurried to join the Forty-First, while a swarm of Indians swept close on the American line. General Van Rensselaer hastened to recross the river to Lewiston for reinforcements.

By this time [concluded Van Rensselaer in his report of the next day], I perceived my troops were embarking very slowly. I passed immediately over to accelerate their movements; but to my utter astonishment I found that at the very moment when complete victory was in our hands the ardor of the unengaged troops had entirely subsided. I rode in all directions, urged the men by every consideration to pass over; but in vain.

More unfortunate than Hull, Van Rensselaer stood on the American heights and saw his six hundred gallant soldiers opposite slowly enveloped, shot down, and at last crushed by about a thousand men who could not have kept the field a moment against the whole American force. Scott and his six hundred were pushed over the cliff down to the bank of the river. The boatmen had all fled with the boats. Nothing remained but to surrender; and under the Indian fire even surrender was difficult. Scott succeeded only by going himself to the British line through the Indians, who nearly killed him as he went.

General Van Rensselaer the next day sent his report of the affair to General Dearborn, and added a request to be relieved of his command. Dearborn, who knew little of the circumstances, ordered him to transfer the command to General Smyth, and wrote to Washington a bitter complaint of Van Rensselaer's conduct, which he attributed to jealousy of the regular service.

Hitherto the military movements against Canada had been directed by Eastern mén. Alexander Smyth belonged to a different class. Born in Ireland in 1765, his fortunes led him to Virginia, where he became a respectable member of the Southwestern bar and served in the State Legislature. Appointed in 1808 by President Jefferson colonel of the new rifle regiment, in 1812 he became inspector-general, received command of the brigade ordered to Niagara, and his succession to Van Rensselaer followed of course. Dearborn, knowing little of Smyth, was glad to entrust the army to a regular officer in whom he felt confidence; yet an Irish temperament with a Virginia education promised the possibility of

a campaign which if not more disastrous than that led by William Hull of Massachusetts, or by Stephen Van Rensselaer of New York, might be equally eccentric.

October 24, Smyth took command at Buffalo, and three weeks later the public read in the newspapers an address issued by him to the 'Men of New York,' written in a style hitherto unusual in American warfare.

For many years [Smyth announced to the men of New York] you have seen your country oppressed with numerous wrongs. Your Government, although above all others devoted to peace, has been forced to draw the sword and rely for redress of injuries on the valor of the American people. That valor has been conspicuous. But the nation has been unfortunate in the selection of some of those who have directed it. One army has been disgracefully surrendered and lost. Another has been sacrificed by a precipitate attempt to pass it over at the strongest point of the enemy's lines with most incompetent means. The cause of these miscarriages is apparent. The commanders were popular men, 'destitute alike of theory and experience' in the art of war.

Unmilitary as such remarks were, the address continued in a tone more and more surprising, until at last it became burlesque.

In a few days the troops under my command will plant the American standard in Canada. They are men accustomed to obedience, silence, and steadiness. They will conquer, or they will die.

Will you stand with your arms folded and look on this interesting struggle? Are you not related to the men who fought at Bennington and Saratoga? Has the race degenerated? Or have you, under the baneful influence of contending factions, forgot your country? Must I turn from you and ask the men of the Six Nations to support the government of the United States? Shall I imitate the officers of the British King, and suffer our ungathered laurels to be tarnished by ruthless deeds? Shame, where is thy blush! No!

November 25, General Smyth issued orders for the invasion, which were also unusual in their character, and prescribed even the gestures and attitudes of the attacking force:

At twenty yards distance the soldiers will be ordered to trail arms, advance with shouts, fire at five paces distance, and charge bayonets. The soldiers will be *silent* above all things.

In obedience to these orders, everything was prepared, November 27, for the crossing, and once more orders were issued in an inspiring tone:

Friends of your country! ye who have ‘the will to do, the heart to dare!’ the moment ye have wished for has arrived! Think on your country’s honors torn! her rights trampled on! her sons enslaved! her infants perishing by the hatchet! Be strong! be brave! and let the ruffian power of the British King cease on this continent!

Two detachments were to cross the river from Black Rock before dawn, November 28, to surprise and disable the enemy’s batteries and to destroy a bridge five miles below; after this should be done the army was to cross. The British were supposed to have not more than a thousand men within twenty miles to resist the attack of three thousand men from Buffalo. Apparently Smyth’s calculations were correct. His two detachments crossed the river at three o’clock on the morning of November 28 and gallantly, though with severe loss, captured and disabled the guns and tore up a part of the bridge without destroying it. At sunrise the army began to embark at the navy yard, but the embarkation continued so slowly that toward afternoon, when all the boats were occupied, only twelve hundred men, with artillery, were on board. ‘The troops thus embarked,’ reported Smyth, ‘moved up the stream to Black Rock without sustaining loss from the enemy’s fire. It was now afternoon, and they were ordered to disembark and dine.’

This was all. No more volunteers appeared, and no other regulars fit for service remained. Smyth sent a demand for the surrender of Fort Erie, ‘to spare the effusion of blood,’ and then ordered his troops to their quarters. The army obeyed with great discontent, but fifteen hundred men still mustered in the boats, when two days afterward Smyth called a council of war and once more decided to abandon the invasion. With less than three thousand men in the boats at once, the General would not stir.

Upon this, General Smyth’s army dissolved. ‘A scene of confusion ensued which it is difficult to describe,’ wrote Peter B. Porter soon afterward; ‘about four thousand men without order or restraint discharging their muskets in every direction.’ They showed a preference for General Smyth’s tent as their target, which caused the General to shift his quarters repeatedly. A few days afterward Peter B. Porter published a letter to a Buffalo newspaper, attributing the late disgrace ‘to the cowardice of General Smyth.’ The General sent a challenge to his subordinate officer, and exchanged shots with him. Smyth next requested permission to visit

his family, which Dearborn hastened to grant; and three months afterward, as General Smyth did not request an inquiry into the causes of his failure, the President without express authority of law dropped his name from the army roll.

The failures of Hull, Van Rensselaer, and Smyth created a scandal so noisy that little was thought of General Dearborn; yet Dearborn still commanded on Lake Champlain the largest force then under arms, including seven regiments of the regular army, with artillery and dragoons. He clung to the idea of an attack on Montreal simultaneous with Smyth's movement at Niagara. November 8, he wrote from Albany to Eustis that he was about to join the army under General Bloomfield at Plattsburg.

Whatever were Dearborn's motives for undertaking the movement, his official report explained that on arriving at Plattsburg he found General Bloomfield ill, and was himself obliged to take command, November 19, when he marched the army about twenty miles to the Canadian line. At that point the militia declined to go further, and Dearborn as quietly as possible, November 23, marched back to Plattsburg. His campaign lasted four days, and he did not enter Canada.

Culpable as was the helplessness of the War Department in 1812, the public neither understood nor knew how to enforce responsibility for disasters which would have gone far to cost a European War Minister his life, as they might have cost his nation its existence. By fortune still kinder, the Navy Department escaped penalty of any sort for faults nearly as serious as those committed by its rival. The navy consisted, besides gunboats, of three heavy frigates rated as carrying forty-four guns; three lighter frigates rated at thirty-eight guns; one of thirty-two, and one of twenty-eight; besides two ships of eighteen guns, two brigs of sixteen, and four brigs of fourteen and twelve — in all sixteen seagoing vessels, twelve of which were probably equal to any vessels afloat of the same class.

The only ships actually ready for sea, June 18, were the *President*, forty-four, commanded by Commodore Rodgers, at New York, and the *United States*, forty-four, which had cruised to the southward with the *Congress*, thirty-eight, and *Argus*, sixteen, under the command of Commodore Decatur. Secretary Hamilton, May 21, sent orders to Decatur to prepare for war, and June 5 wrote more urgently: 'Have the ships

under your command immediately ready for extensive active service, and proceed with them to New York, where you will join Commodore Rodgers and wait further orders. Prepare for battle, which I hope will add to your fame.' To Rodgers he wrote on the same day in much the same words: 'Be prepared in all respects for extensive service.'

Rodgers in his fine frigate the *President*, with the *Hornet*, eighteen, was eager to sail. The hope of capturing the *Belvidera*, which had long been an intolerable annoyance to New York commerce, was strong both in the Navy Department and in the navy; but the chance of obtaining prize money from the British West India convoy, just then passing eastward only a few days' sail from the coast, added greatly to the commodore's impatience. Decatur's squadron arrived off Sandy Hook June 19. June 21, the whole fleet, including two forty-four and one thirty-eight-gun frigates, with the *Hornet* and the *Argus*, stood out to sea.

They struck the *Belvidera* within forty-eight hours, and lost her; partly on account of the bursting of one of the *President's* main-deck guns, which blew up the forecastle deck, killing or wounding sixteen men, including Commodore Rodgers himself, whose leg was broken; partly, and according to the British account chiefly, on account of stopping to fire at all when Rodgers should have run alongside, and in that case could not have failed to capture his enemy. Whatever was the reason, the *Belvidera* escaped; and Rodgers and Decatur turned in pursuit of the British West India convoy, and hung doggedly to the chase without catching sight of their game, until after three weeks' pursuit they found themselves within a day's sail of the British Channel and the convoy safe in British waters.

This beginning of the naval war was discouraging. The American ships should not have sailed in a squadron, and only their good luck saved them from disaster. The President and a majority of his advisers inclined to keep the navy within reach at first — to use them for the protection of commerce, to drive away the British blockaders; and aware that the British naval force would soon be greatly increased, and that the American navy must be blockaded in port, the Government expected in the end to use the frigates as harbor defenses rather than send them to certain destruction.

With these ideas in his mind Secretary Hamilton, in his orders of June 18, told Rodgers and Decatur that 'more extensive' orders should

be sent to them on their return to New York. June 22 the orders were sent. They directed Rodgers with his part of the squadron to cruise from the Chesapeake eastwardly, and Decatur with his ships to cruise from New York southwardly, so as to cross and support each other and protect with their united force the merchantmen and coasters entering New York Harbor, the Delaware, and the Chesapeake. Rodgers and Decatur were then beginning their private cruise across the ocean, and never received these orders until the commerce they were to protect either reached port in safety or fell into British hands.

Probably this miscarriage was fortunate, for not long after Rodgers and Decatur passed the Banks, the British Vice-Admiral Sawyer sent from Halifax a squadron to prevent the American navy from doing what Secretary Hamilton had just ordered to be done. July 5, Captain Broke, with his own frigate the *Shannon*, thirty-eight, and the *Belvidera*, thirty-six, the *Africa*, sixty-four, and *Aeolus*, thirty-two, put to sea from Halifax and was joined, July 9, off Nantucket by the *Guerrière*, thirty-eight. Against such a force Rodgers and Decatur, even if together, would have risked total destruction, while a success would have cost more than it was worth. The Americans had nothing to gain and everything to lose by fighting in line-of-battle.

As Broke's squadron swept along the coast, it seized whatever it met, and July 16 caught one of President Jefferson's sixteen-gun brigs, the *Nautilus*. The next day it came on a richer prize. The American navy seemed ready to outstrip the army in the race for disaster. The *Constitution*, the best frigate in the United States service, sailed into the midst of Broke's five ships.

Then followed one of the most exciting and sustained chases recorded in naval history. At daybreak the next morning one British frigate was astern within five or six miles, two more were to leeward, and the rest of the fleet some ten miles astern, all making chase. Hull put out his boats to tow the *Constitution*; Broke summoned the boats of his squadron to tow the *Shannon*. Hull then bent all his spare rope to the cables, dropped a small anchor half a mile ahead, in twenty-six-fathom water, and warped his ship along. Broke quickly imitated the device, and slowly gained on the chase. The *Guerrière* crept so near Hull's lee beam as to open fire, but her shot fell short. Fortunately the wind, though slight, favored Hull. All night the British and American crews toiled on, and

when morning came the *Belvidera*, proving to be the best sailer, got in advance of her consorts, working two kedge anchors, until at two o'clock in the afternoon she tried in her turn to reach the *Constitution* with her bow guns, but in vain. Hull expected capture, but the *Belvidera* could not approach nearer without bringing her boats under the *Constitution's* stern guns: and the wearied crews toiled on, towing and kedging, the ships barely out of gunshot, till another morning came. The breeze, though still light, then allowed Hull to take in his boats, the *Belvidera* being two and a half miles in his wake, the *Shannon* three and a half miles on his lee, and the three other frigates well to leeward. The wind freshened, and the *Constitution* drew ahead, until toward seven o'clock in the evening of July 19 a heavy rain squall struck the ship, and by taking skillful advantage of it Hull left the *Belvidera* and *Shannon* far astern; yet until eight o'clock the next morning they were still in sight keeping up the chase.

With no half-hearted spirit, the seagoing Bostonians showered well-weighed praises on Hull when his ship entered Boston Harbor, July 26, after its narrow escape; and when he sailed again, New England waited with keen interest to learn his fate.

Hull could not expect to keep command of the *Constitution*. Bainbridge was much his senior, and had the right to a preference in active service. Bainbridge then held and was ordered to retain command of the *Constellation*, fitting out at the Washington Navy Yard; but Secretary Hamilton, July 28, ordered him to take command also of the *Constitution* on her arrival in port. Doubtless Hull expected this change, and probably the expectation induced him to risk a dangerous experiment; for without bringing his ship to the Charlestown Navy Yard, but remaining in the outer harbor, after obtaining such supplies as he needed, August 2, he set sail without orders, and stood to the eastward. Having reached Cape Race without meeting an enemy he turned southward, until on the night of August 18 he spoke a privateer, which told him of a British frigate near at hand. Following the privateersman's directions the *Constitution* the next day, August 19, at two o'clock in the afternoon, sighted the *Guerrière*.

The meeting was welcome on both sides. Only three days before, Captain Dacres had entered on the log of a merchantman a challenge to any American frigate to meet him off Sandy Hook. Not only had the

*Guerrière* for a long time been extremely offensive to every seafaring American, but the mistake which caused the *Little Belt* to suffer so seriously for the misfortune of being taken for the *Guerrière* had caused a corresponding feeling of anger in the officers of the British frigate. The meeting of August 19 had the character of a preconcerted duel.

The wind was blowing fresh from the northwest, with the sea running high. Dacres backed his maintopsail and waited. Hull shortened sail and ran down before the wind. For about an hour the two ships wore and wore again, trying to get advantage of position; until at last a few minutes before six o'clock, they came together side by side, within pistol-shot, the wind almost astern, and running before it they pounded each other with all their strength. As rapidly as the guns could be worked, the *Constitution* poured in broadside after broadside, double-shotted with round and grape — and, without exaggeration, the echo of these guns startled the world. ‘In less than thirty minutes from the time we got alongside of the enemy,’ reported Hull, ‘she was left without a spar standing, and the hull cut to pieces in such a manner as to make it difficult to keep her above water.’ Hull’s victory was not only dramatic in itself, but was also supremely fortunate in the moment it occurred. The *Boston Patriot* of September 2, which announced the capture of the *Guerrière*, announced in the next column that Rodgers and Decatur, with their squadron, entered Boston Harbor within four-and-twenty hours after Hull’s arrival, returning empty-handed after more than two months of futile cruising; while in still another column the same newspaper announced ‘the melancholy intelligence of the surrender of General Hull and his whole army to the British General Brock.’ Isaac Hull was nephew to the unhappy General, and perhaps the shattered hulk of the *Guerrière*, which the nephew left at the bottom of the Atlantic Ocean, eight hundred miles east of Boston, was worth for the moment the whole province which the uncle had lost, eight hundred miles to the westward; it was at least the only equivalent the people could find, and they made the most of it.

Carried away by Hull’s victory, the Government could no longer hesitate to give its naval officers the liberty of action they asked, and which in spite of orders they had shown the intention to take. A new arrangement was made. The vessels were to be divided into three squadrons, each consisting of one forty-four, one light frigate, and one sloop-of-war.

Rodgers in the *President* was to command one squadron, Bainbridge in the *Constitution* was to command another, and Decatur in the *United States* was to take the third. Their sailing orders, dated October 2, simply directed the three commodores to proceed to sea:

You are to do your utmost to annoy the enemy, to afford protection to our commerce, pursuing that course which to your best judgment may under all circumstances appear the best calculated to enable you to accomplish these objects as far as may be in your power, returning into port as speedily as circumstances will permit consistently with the great object in view.

Before continuing the story of the frigates, the fate of the little *Wasp* needs to be told. Her career was brief. The *Wasp*, a sloop-of-war rated at eighteen guns, was one of President Jefferson's additions to the navy to supply the loss of the *Philadelphia*; she was ship-rigged, and armed with two long twelve-pounders and sixteen thirty-two-pound carronades. She carried a crew of one hundred and thirty-seven men, commanded by Captain Jacob Jones, a native of Delaware, lieutenant in the *Philadelphia* when lost in the war with Tripoli. The *Wasp* was attached to Rodgers's squadron, and received orders from the commodore to join him at sea. She sailed from the Delaware October 13, and when about six hundred miles east of Norfolk, October 17, she fell in with the British eighteen-gun brig *Frolic*, convoying fourteen merchantmen to England. The two vessels were equal in force.

The action began at half-past eleven in the morning, the two sloops running parallel, about sixty yards apart, in a very heavy sea, which caused both to pitch and roll so that marksmanship had the most decisive share in victory. The muzzles of the guns went under water, and clouds of spray dashed over the crews, while the two vessels ran side by side for the first fifteen minutes. The British fire cut the *Wasp*'s rigging, while the American guns played havoc with the *Frolic*'s hull and lower masts. The vessels approached each other so closely that the rammers of the guns struck the enemy's side, and at last they fell foul — the *Wasp* almost squarely across the *Frolic*'s bow. In the heavy sea boarding was difficult; but as soon as the *Wasp*'s crew could clamber down the *Frolic*'s bowsprit, they found on the deck the British captain and lieutenant, both severely wounded, and one brave sailor at the wheel. Not twenty

of the British crew were left unhurt, and these had gone below to escape the American musketry. The *Wasp* had only ten men killed and wounded. The battle lasted forty-three minutes.

Captain Jones lost the full satisfaction of his victory, for a few hours afterward the *Poictiers*, a British seventy-four, came upon the two disabled combatants and carried both into Bermuda; but the American people would have been glad to part with their whole navy on such terms, and the fight between the *Wasp* and the *Frolic* roused popular enthusiasm to a point where no honors seemed to satisfy their gratitude to Captain Jones and his crew.

The *Wasp*'s brilliant career closed within a week from the day she left the Delaware. A week afterward another of these ship-duels occurred, which made a still deeper impression. Rodgers and Decatur sailed from Boston October 8, with the *President*, the *United States*, *Congress*, and *Argus*, leaving the *Constitution*, *Chesapeake*, and *Hornet* in port. Rodgers in the *President*, with the *Congress*, cruised far and wide, but could find no enemy to fight, and after making prize of a few merchantmen returned to Boston, December 31.

Decatur in the *United States*, separating from the squadron October 12, sailed eastward to the neighborhood of the Azores, until, October 25, he sighted a sail to windward. The stranger made chase. The wind was fresh from a south-southeast, with a heavy sea. Decatur stood toward his enemy, who presently came about, abreast of the *United States* but beyond gunshot, and both ships being then on the same tack approached each other until the action began at long range. The British ship was the thirty-eight-gun frigate *Macedonian* commanded by Captain Carden, and about the same force as the *Guerrière*. At first the *United States* used only her long twenty-four-pounders, of which she carried fifteen on her broadside, while the *Macedonian* worked a broadside of fourteen long eighteen-pounders. So unequal a contest could not continue. Not only was the American metal heavier, but the American fire was quicker and better directed than that of the Englishman; so that Carden, after a few minutes of this experience, bore down to close. His maneuver made matters worse. The carronades of the *United States* came into play; the *Macedonian*'s mizzenmast fell, her fore and main topmasts were shot away, and her main yard; almost all her rigging was cut to pieces, and most of the guns on her engaged side were dismounted. She dropped

gradually to leeward, and Decatur, tacking and coming up under his enemy's stern, hailed, and received her surrender.

Decatur saved the *Macedonian*, and brought her back to New London — the only British frigate ever brought as a prize into an American port. The two ships arrived December 4, and from New London the *Macedonian* was taken to New York and received in formal triumph. Captain Jones of the *Wasp* took command of her in reward for his capture of the *Frolic*.

Before the year closed, the *Constitution* had time for another cruise. Hull at his own request received command of the Navy Yard at Charlestown, and also took charge of the naval defenses in New York Harbor, but did not again serve at sea during the war. The *Constitution* was given to Captain Bainbridge, one of the oldest officers in the service.

Bainbridge showed no inferiority to the other officers of the service, and no one grumbled at the retirement of Hull. The *Constitution* sailed from Boston, October 25, with the *Hornet*. December 13, Bainbridge arrived at San Salvador, on the coast of Brazil, where he left the *Hornet* to blockade the *Bonne Citoyenne*, a British eighteen-gun sloop-of-war bound to England with specie. Cruising southward, within sight of the Brazilian coast, in latitude  $13^{\circ} 6'$  south, Bainbridge sighted the British frigate *Java*, a ship of the same tonnage as the *Guerrière*, throwing a slightly heavier broadside and carrying a large crew of four hundred and twenty-six men, if the American account was correct. Bainbridge tacked and made sail offshore, to draw the stranger away from a neutral coast; the British frigate followed him, until at half-past one o'clock in the afternoon Bainbridge shortened sail, tacked again, and stood for his enemy. Soon after two o'clock the action began, the two ships being on the same tack, the *Java* to windward and the better sailor, and both fighting their long-range guns. The British frigate insisted upon keeping it a distance, obliging Bainbridge after half an hour to risk the danger of being raked; and at twenty minutes before three o'clock the *Constitution* closed within pistol-shot. At ten minutes before three the ships were foul, the *Java*'s jibboom in the *Constitution*'s mizzen rigging; and from that point the battle became slaughter. In fifteen minutes the *Java*'s bowsprit, foremast, and main topmast were cut away, and a few minutes after four o'clock she ceased firing. Her captain, Lambert, was mortally wounded; the first lieutenant was wounded; forty-eight of her officers and crew were dead or dying; one hundred and two were wounded; little

more than a hulk filled with wreck and dead or wounded men floated on the water.

The *Constitution* had but twelve men killed and twenty-two wounded, and repaired damages in an hour. With this battle the year ended. Bainbridge was obliged to blow up his prize, and after landing and paroling his prisoners at San Salvador sailed for Boston, where he arrived in safety, February 27, 1813.

## CHAPTER EIGHTY-ONE

### *Discord*

IN SUCH A WAR the people of the United States had only themselves to fear; but their dangers were all the more formidable. Had the war deeply disturbed the conditions of society, or brought general and immediate distress, Government and Union might easily have fallen to pieces; but in the midst of military disaster and in plain sight of the Government's incompetence, the general public neither felt nor had reason to fear much change in the routine of life. Commerce had long accustomed itself to embargoes, confiscations, and blockades, and ample supplies of foreign goods continued to arrive. The people made no serious exertions; among a population exceeding seven millions, not ten thousand men entered the military service. The militia, liable to calls to the limit of one hundred thousand, served for the most part only a few weeks in the autumn, went home in whole regiments when they pleased, and in the East refused to go out at all. The scarcity of men was so great that even among the seagoing class, for whose rights the war was waged, only with the utmost difficulty and long delays, in spite of bounties and glory, could sailors be found to man half a dozen frigates for a three-months cruise. The country refused to take the war seriously.

The incapacity of Eustis, Hamilton, Dearborn, Hull, Van Rensselaer, and Smyth pointed directly to the responsible source of appointment — the President himself; but in face of a general election Republicans could not afford to criticize their President, and only in private could they assail his Cabinet. The Federalists, factious, weak, and unpopular as they were, expressed the secret opinion of the whole country, and could be answered by no facts or arguments except military success, which Madison was admittedly incompetent to win; but perhaps the failure of his Cabinet, of his generals, and of his troops gave the Federalists less advantage than they drew from the failures of diplomacy in which his genius lay. With reasons such as few nations ever waited to collect for an appeal to arms, Madison had been so unfortunate in making the issue that on his own showing no sufficient cause of war seemed to exist. His management was so extraordinary that at the moment when Hull surrendered Detroit, Great Britain was able to pose before the world in the

attitude of victim to a conspiracy between Napoleon and the United States to destroy the liberties of Europe. Such inversion of the truth passed ordinary bounds, and so real was Madison's diplomatic mismanagement that it paralyzed one-half of the energies of the American people.

Only one more step was needed to throw the clerical party of New England into open revolution. If the majority meant to close their long career by a catastrophe which should leave the Union a wreck, they had but to try the effects of coercion.

In Massachusetts, Governor Strong issued, June 26, a proclamation for a public Fast in consequence of the war just declared 'against the nation from which we are descended, and which for many generations has been the bulwark of the religion we profess.' The returning members of Congress who had voted for war met a reception in some cases offensive and insulting, to the point of actual assault. Two of the Massachusetts members, Seaver and Widgery, were publicly insulted and hissed on 'Change in Boston; while another, Charles Turner, member for the Plymouth district, and Chief Justice of the Court of Sessions for that county, was seized by a crowd on the evening of August 3, on the main street of Plymouth, and kicked through the town. By energetic use of a social machinery still almost irresistible, the Federalists and the clergy checked or prevented every effort to assist the war, either by money or enlistments. The Supreme Court of Massachusetts, with Chief Justice Parsons at its head, advised Governor Strong that not to Congress or to the President, but to the Governor, belonged the right to decide when the constitutional exigency existed which should call the State militia into the service of the United States; and Governor Strong decided that neither foreign invasion nor domestic insurrection existed, and that therefore he could not satisfy the President's request for the quota of the United States militia to defend the coast.

The Federalist members of Congress issued an address to their constituents protesting against the action of Congress in suppressing discussion; and this address declared the war to be unnecessary and inexpedient. Immediately after the declaration, the House of Representatives of Massachusetts issued another address to the people of the State, declaring the war to be a wanton sacrifice of their best interests, and asking their exertions to thwart it.

A typical memorial among many that were showered upon the President was adopted by a convention of electors of the county of Rockingham in New Hampshire, August 5, and was the better worth attention because drawn by Daniel Webster, who made there his first appearance as a party leader:

We shrink from the separation of the States as an event fraught with incalculable evils; and it is among our strongest objections to the present course of measures that they have in our opinion a very dangerous and alarming bearing on such an event. If a separation of the States ever should take place, it will be on some occasion when one portion of the country undertakes to control, to regulate, and to sacrifice the interest of another; when a small and heated majority in the Government, taking counsel of their passions and not of their reason, contemptuously disregarding the interests and perhaps stopping the mouths of a large and respectable minority, shall by hasty, rash, and ruinous measures threaten to destroy essential rights and lay waste the most important interests. It shall be our most fervent supplication to Heaven to avert both the event and the occasion; and the Government may be assured that the tie that binds us to the Union will never be broken *by us.*

The conduct of England strengthened the Federalists. After the repeal of the Orders in Council became known, Monroe, July 27, authorized Jonathan Russell in London to arrange an armistice, provided the British Government would consent to an informal arrangement in regard to impressments and blockades. Hardly had these instructions been sent to England when from Albany came news that Sir George Prevost had proposed an armistice and General Dearborn had accepted it. This act compelled the President either to stop the war and disorganize his party or to disapprove Dearborn's armistice without prejudice to the armistice which Russell was to negotiate in London, and also without censure to General Dearborn. To Dearborn the President, as the story has shown, sent immediate orders for the renewal of hostilities; while Monroe, in fresh instructions to Jonathan Russell, explained the disavowal. Monroe alleged that the repeal of the Orders in Council did not satisfy the United States, because the repeal still asserted the principle underlying the Orders, which the United States could not admit; but he further maintained that any armistice, made before obtaining redress on the subject of impressments, might be taken as a relinquishment of the claim to redress and was therefore inadmissible.

However sound in principle these objections were, they seemed to declare perpetual war; for until England should be reduced to the position of Denmark or Prussia, she would not abandon in express terms either the right of impressment or that of blockade. The probable effect of a successful war waged on these grounds would give Canada and the Floridas to the United States as the consequence of aiding Napoleon to destroy European and English liberties. While Madison planted himself in the Napoleonic position of forcing war on a yielding people, the British officials in Canada stood on the defensive, avoided irritation, and encouraged trade and commerce. American merchant vessels carried British passes; and most of them, to the anger of Napoleon, were freighted with supplies for the British army in Portugal and Spain.

While the New England Federalists, taking the attitude of patriots who strove only to avert impending ruin, made their profit of every new national disaster and repressed as well as they could the indiscretions of their friends, the war party was not so well disciplined. Democracies in history always suffered from the necessity of uniting with much of the purest and best in human nature a mass of ignorance and brutality lying at the bottom of all societies. Although America was safe for the time from Old-World ruin, no political or military error went so far to disgust respectable people with the war and its support as an uprising of brutality which occurred in Baltimore. Within some twenty years this newest of American cities had gathered nearly fifty thousand inhabitants, among whom were many of the roughest characters in America, fit only for privateersmen or pirates, and familiar with both careers. On the other hand, the State of Maryland like the State of Delaware contained many conservatives, who showed their strength every four years by depriving the Republican candidate for the Presidency of some portion of the State's electoral vote. Under their patronage a newspaper called *The Federal Republican* was published in Baltimore, edited by Jacob Wagner, who had been chief clerk of the State Department under Secretary Pickering, and was retained in that office by Secretary Madison until 1807, when he resigned the place and made use of his knowledge to attack Madison in the press.

As an editor, Jacob Wagner belonged to the extreme wing of his party, and scrupled at nothing in the way of an assertion or a slander. His opposition to the war was bitter and unceasing, while the city of Baltimore

shared the feeling common in the South and West, that, after the declaration, opposition to the war amounted to treason and should not be tolerated. June 22, immediately after the declaration, a well-organized mob deliberately took possession of Wagner's printing office and destroyed it, pulling down even the walls, while the citizens looked on and the mayor confined his exercise of authority to deprecations.

Wagner removed to the District of Columbia and began to publish his paper in Georgetown, where the Government could be made directly responsible in case of further violence; but his associate, A. C. Hanson, and several of the Baltimore Federalists, were not disposed to tolerate the dictation of a mob; and after discussing the matter a month, some of them determined on an attempt as foolhardy as it was courageous. Monday, July 27, the *Federal Republican* was circulated among its subscribers in Baltimore, purporting to be printed at 45 Charles Street, though really printed at Georgetown; while about twenty persons, under the general direction of Henry Lee — a Virginian distinguished in the Revolutionary War, and in 1791 Governor of his State — fortified themselves in the house and waited attack. The same evening a mob gathered and broke open the door. The garrison fired and killed or wounded some of the assailants. The attacking party brought up a cannon and a serious battle was about to begin, when the mayor with a small squadron of cavalry intervened, and persuaded Hanson and his friends to submit to the civil authority and go to jail to answer for the blood they had shed. General Lee, General Lingan — also a Revolutionary officer — Hanson, and the other occupants of the house were marched to the jail through an angry and violent mob.

The city was in commotion, the authorities were helpless, the militia when called upon did not appear; and that night the mob, consisting chiefly of low Irish and Germans, entered the jail and took out the prisoners. Some managed to escape in the confusion; the rest were savagely beaten. Eight more or less unconscious victims lay all night and till noon the next day piled on the prison steps, and the crowd, which would not permit their removal, amused itself by cutting and burning the sufferers to ascertain whether they were dead. When at last the rioters permitted them to be removed, General Lingan was in fact dead, General Lee was crippled, and the others were more or less severely injured.

When the political effects of the massacre showed themselves, the war party became aware that a blunder had been committed more serious than any ordinary crime. The Baltimore massacre recalled the excesses of the French Revolution, still fresh in men's minds; and although Democrats in Pennsylvania and Republicans in Virginia might feel themselves too strong for disorder, in the North and East the murder of Lingan shook the foundation of society. Massachusetts and Connecticut looked to their arms. If the majority alone was to utter opinions, the Republican Party north of Pennsylvania might yet be forced to practice the virtue of silence. Not all the political and military disasters of the year harmed the Government and the war more seriously than they were injured by the Baltimore mob.

Under the influence of such passions the Presidential election approached. Except beyond the mountains the war party was everywhere a social minority, and perhaps such strength as Madison retained in the East consisted partly in the popular impression that he was not a favorite with the authors of the war. The true sentiment of the people, if capable of expression, was one of fretful discontent; and the sense of diffused popular restlessness alone explained the obstinacy of De Witt Clinton in refusing to desist from his candidacy, and still more the first prominent appearance of Martin Van Buren as manager of the intrigue for defeating Madison. De Witt Clinton was classed by most persons as a reckless political gambler, but Martin Van Buren when he intrigued commonly preferred to intrigue upon the strongest side. Yet one feeling was natural to every New York politician, whether a Clinton or a Livingston, Burrite, Federalist, or Republican — all equally disliked Virginia; and this innate jealousy gave to the career of Martin Van Buren for forty years a bias which perplexed his contemporaries and stood in singular contradiction to the soft and supple nature he seemed in all else to show.

No canvass for the Presidency was ever less creditable than that of De Witt Clinton in 1812. Seeking war votes for the reason that he favored more vigorous prosecution of the war; asking support from peace Republicans because Madison had plunged the country into war without preparation; bargaining for Federalist votes as the price of bringing about a peace; or coquettling with all parties in the atmosphere of bribery in bank charters — Clinton strove to make up a majority which had no element of union but himself and money. The Federalists held a conference at

New York in September, and in spite of Rufus King, who was said to have denounced Clinton as a dangerous demagogue in almost the words used by Hamilton to denounce Aaron Burr ten years before, after three days' debate, largely through the influence of Garrison Gray Otis, the bargain was made which transferred to Clinton the electoral votes of the Federalist States. No one knew what pledges were given by Clinton and his friends; but no man of common-sense who wished to preserve the Government and the Union could longer refuse to vote for Madison.

In the midst of confusion the election took place. Few moments in the national history were less cheerful. In the Northwest the force organized to recapture Detroit, commanded by General Harrison, was still at Franklinton in the center of Ohio, unable to advance and preparing to disband. At Niagara, Van Rensselaer had failed, and Smyth was in command. At sea, the *Guerrière* and the *Frolic* had been captured, but Decatur's victory over the *Macedonian* was still unknown. Napoleon, though supposed to be dictating peace at Moscow, was actually in full retreat. Every hope of the war party had already proved mistaken. Canada was not in their hands; no army had been enlisted; the people were less united than ever; taxation and debt could no longer be avoided; and military disgrace had been incurred beyond the predictions of John Randolph and Josiah Quincy. All this took place before the country had seen five hundred enemies except its own Indians on its soil, and when it had no reason to fear immediate attack.

Once more the steadiness of Pennsylvania saved the Administration from its worst perils. The election took place, and the electoral votes of New England, except Vermont, were duly thrown for De Witt Clinton, while under the management of Martin Van Buren the Republicans of the New York Legislature chose Clinton electors by Federalist aid. New Jersey and Delaware also voted for Clinton. Maryland gave five of her electoral votes to Clinton, six to Madison, and elected a legislature strongly Federalist. A change of twenty electoral votes would have turned the scale. In 1808, under all the disadvantages of the embargo, Madison received one hundred and twenty-two votes in an Electoral College of one hundred and seventy-five; but in 1812, he obtained only one hundred and twenty-eight votes in an Electoral College of two hundred and seventeen, although the three new votes of Louisiana increased

his proportion. In Massachusetts the Federalists surprised even themselves by their immense majority of twenty-four thousand, and the peace party swept the Congressional districts throughout New England and New York, doubling Federalist strength in the Thirteenth Congress.

If John Taylor of Caroline was to be believed, the support given by Virginia to the Administration was hardly more flattering than the sweeping condemnation of the North and East. Colonel Taylor himself did not openly oppose the war; but he saw no enthusiasm for it among his neighbors. This apathy extended through the three great States of Pennsylvania, Virginia, and North Carolina. Only along the Indian frontier, west of the Alleghany Mountains, could enthusiasm be said to exist, and even there took rather the form of hostilities against the Indians than against the British.

The unexpected indifference to the war which made itself so evident in all the Atlantic States paralyzed the Government. Even the Federalists of New England, New York, New Jersey, and Maryland spoke to Monroe in tones hardly more emphatic than those used by his oldest Virginia friend, Colonel Taylor, who wrote: 'If the President thinks that defeat has raised the spirit of the nation, and goes on with the war on that ground, he will find himself mistaken.' The President clearly came to the same conclusion, for he renewed attempts at negotiation a week before Congress met and a fortnight before the election of November 8.

Thenceforward, Madison risked the charge of continuing the war only to satisfy himself that England could not be forced into an express renunciation of what she called her right of impressment. That the British Government should expressly renounce its claim to impressment was already an idea hardly worth entertaining; but if the war could not produce that result, it might at least develop a government strong enough to attain the same result at some future time. If a strong government was desired, any foreign war, without regard to its object, might be good policy, if not good morals; and in that sense President Madison's war was the boldest and the most successful of all experiments in American statesmanship, though it was also among the most reckless.

Unnatural as Madison's position was, that of Monroe was more surprising. After the adjournment of Congress, July 6, 1812, and some two months before Hull's surrender was known, Madison suggested to his Secretary of State the idea of leading the advance upon Montreal. Fortu-

nately for Monroe, he could neither outrank Dearborn nor serve as a subordinate. Unable to overcome this objection, Madison laid the subject aside, and soon afterward, toward the end of August, left Washington for Montpelier, where he enjoyed only a few days' rest before the news of Hull's surrender arrived. The idea that he was himself in any degree responsible for Hull's disaster, or for Eustis's or Dearborn's supposed shortcomings, did not distress the President; but he was anxious to restore confidence in the military administration, and Monroe was earnest in the wish to assist him. September 2, immediately after receiving the news, Monroe wrote to the President offering to take a volunteer commission, and to assume command of the fresh force then gathering in Kentucky and Ohio to recapture Detroit. Madison replied September 5, balancing the advantages and objections, but leaning toward the step. The next day he wrote more strongly, urging Monroe to go as a volunteer without rank, if no sufficient commission could be given him. Again, September 10, the President wrote, offering to risk issuing a volunteer commission under a doubt as to the meaning of the Act.

Neither the President nor the Secretary was aware that Governor William Henry Harrison had taken steps long in advance for occupying the field on which Monroe's eyes were fixed. Monroe actually made his arrangements, sent off cannon to besiege Detroit, and was himself on the point of starting westward, when letters arrived which showed that Harrison was not only the popular idol of the moment in Kentucky and Ohio, but that he had received from the Governor of Kentucky the commission of major-general.

This double setback from men so inferior as Dearborn and Harrison irritated Monroe, who could not command in the North on account of Dearborn, or in the West without a contest with Harrison and Winchester. Evidently, if he was to take any military position, he must command in chief.

Secretary Eustis waited until Dearborn returned from Lake Champlain to Albany, Smyth failed at Niagara, and Harrison became stationary in Ohio, then, December 3, sent his resignation to the President. Instantly informed of this event, and having reason to suppose that the place would be offered to him, Monroe called his friends to a consultation, the result of which was narrated in a letter written to Jefferson six months afterward:

I stated [to the President] that if it was thought necessary to remove me from my present station in the idea that I had some military experience, and a change in the command of the troops was resolved on, I would prefer it to the Department of War in the persuasion that I might be more useful. . . . The President was of opinion that if I quitted my present station, I ought to take the command of the army. It being necessary to place someone immediately in the Department of War to supply the vacancy made by Mr. Eustis's retreat, the President requested me to take it *pro tempore*, leaving the ultimate decision on the other question open to further consideration. I did so.

Monroe, with only the model of Washington before his eyes, felt aggrieved that the Clintons and Armstrongs of the North thought him greedy of power; but the curious destiny which had already more than once made a sport of Monroe's career promised at last to throw the weight of a continent upon his shoulders. Secretary of State, acting Secretary of War, General-in-Chief by a double guarantee, and President thereafter, what more could the witches promise on the blasted heath of politics that could tempt ambition?

Monroe grasped too much, and the prizes which would have destroyed him slipped through his fingers. The story that he was to be General-in-Chief as well as Secretary of War, exaggerated by jealousy, roused a storm of protest. Even the patient Gallatin interposed there, and gave the President to understand that if Monroe were transferred to the army, he should himself claim the vacant Department of State; and Madison admitted the justice of the claim, although the difficulty of filling the Treasury created a new obstacle to the scheme. A greater difficulty arose from sectional jealousies. The loss of New York to the Republican Party, due chiefly to dislike of Virginia and to Monroe's previous promotion, was too recent and serious to allow further experiments. The Republican leaders in New York — Governor Tompkins, Judge Spencer, and their connections — felt their hopes depend on checking the open display of Virginia favoritism. Finally, the Federalists made a scandal of the subject.

In face of these difficulties Madison could not carry out his scheme. His only object in pushing Monroe forward was to strengthen himself by using what he supposed to be Monroe's popularity; but from the moment it appeared that Monroe, in the War Department or at the head of the Northern army, would be a source of weakness rather than of

strength, Madison had no motive to persist; so that Monroe, failing to take a decided step, suddenly found himself — he hardly knew how — in the awkward attitude of a disappointed Cromwell. His rival first withdrew the War Department from his hands.

If Monroe was more jealous of one man than of another, his antipathies centered upon John Armstrong, the late American minister at Paris. Armstrong's opinions of Madison and Monroe were known to be the same as those of other New Yorkers; if he came to the support of the Administration, he came not in order to please the Virginians, but to rescue the Government from what he thought Virginian incompetence or narrowness; and that Armstrong would shut the door of military glory in the face of the Secretary of State was as certain as that the Secretary of State would, sooner or later, revenge the insult by ejecting Armstrong from the Cabinet if he could.

The nomination of Armstrong to be Secretary of War was made January 8, 1813, and was accompanied by that of William Jones of Pennsylvania to succeed Paul Hamilton as Secretary of the Navy.

William Jones, long a prominent Republican, a member of Congress at the beginning of Jefferson's Administration, had been offered the Navy Department in 1801, when that department was offered to almost every leading Republican before falling into the hands of Robert Smith. Jones then declined the task, and soon retired from Congress to follow his private business as a shipowner in Philadelphia. His appointment in 1813 was probably as good as the party could supply. He was confirmed by the Senate without opposition; but he had little to do with the movement of politics or with matters apart from business.

President Madison's Annual Message of November 4, 1812, was an interesting paper. Gliding gently over the disasters of the Northern campaign; dilating on British iniquity in using Indians for allies; commenting on the conduct of Massachusetts and Connecticut with disfavor, because it led to the result that the United States were 'not one nation for the purpose most of all requiring it'; praising Rodgers and Hull for the results of their skill and bravery — the Message next narrowed the cause of war to the requirement of a formal suspension of impressments from American ships, though not of American citizens on shore, pending negotiations, and to be made permanent by treaty. The demand was proper, and its only fault was to fall short of full satisfaction; but con-

sidered in its effect upon the politics of the moment the attitude was new, unsupported by a precedent, unwarranted by any previous decision or declaration of President or Congress, and open to the Federalist charge that Madison sought only an excuse for continuing to stake the national existence on the chance of success in his alliance with Bonaparte. The rest of the Message helped to strengthen the impression that a policy of permanent war was to be fixed upon the country; for it recommended higher pay for recruits and volunteers, an increase in the number of general officers, a reorganization of the general staff of the army, and an increase of the navy. The impression was not weakened by the President's silence in regard to the financial wants of the Government, which left to the Secretary of the Treasury the unpleasant duty of announcing that the enormous sum of twenty million dollars must be borrowed for the coming year.

Not until after the election was the financial situation made known; but then Gallatin's report, sent to the House December 5, estimated the military expenses at seventeen millions, the naval at nearly five millions, and the civil at fifteen hundred thousand, besides interest on the public debt to the amount of three million three hundred thousand, and reimbursements of loans, Treasury notes, etc., reaching five million two hundred thousand more — in all, thirty-one million nine hundred and twenty-five thousand dollars. This estimate omitted every expenditure not already authorized by law, such as the proposed increase of army and navy.

To meet these obligations, amounting probably to thirty-three million dollars, Gallatin counted on a revenue of eleven million five hundred thousand dollars from imports, and half a million from the sale of lands — making twelve millions in all; leaving a sum of at least twenty millions to be borrowed, with an increase of debt to the amount of fifteen millions.

Hardly had Henry Clay seated himself again in the Speaker's chair and appointed the select committee on military affairs, when the process of reorganizing the Government on a new and energetic footing began. November 19, David R. Williams, Chairman of the military committee, reported a bill raising the soldiers' pay to eight dollars a month and exempting them from arrest for debt. At any previous moment in national history such a bill would have aroused paroxysms of alarm, but the Republicans of 1812 were obliged to accept it without a protest and with

grave doubts whether it would prove effective. The bill became law December 12, and was quickly followed by another bill raising the bounty and organizing the recruiting service.

Before this matter was finished, the naval committee reported a bill for increasing the navy; and the two Houses vied with one another in their enthusiasm for this recently unpopular branch of the public service. Here and there an Old Republican protested that he could not in conscience violate every fixed idea of his political existence by voting for a large naval establishment; but when the House was asked to appropriate money for four ships-of-the-line and six forty-four-gun frigates, although the Federalists were much divided as to the wisdom of building seventy-fours, and debated the subject at great length with contradictory votes, the House closed the discussion, December 23, by passing the bill as it stood. In the minority of fifty-six were several warm friends of the navy, who thought Congress needlessly extravagant.

No one who saw the quickness of this revolution could doubt that whatever evils war might cause, it was a potent force to sweep nations forward on their destined way of development or decline. Madison, Monroe, Gallatin, as well as Jefferson and the whole Republican Party, accepted a highly paid mercenary army, a fleet of ships-of-the-line, a great national debt at high interest, and a war of conquest in coincidence with the wars of Napoleon, on ground which fifteen years before had been held by them insufficient to warrant resistance to France.

More serious suggestions were offered by the failure of Congress to act its intended part as the controlling branch of government. The founders of the Constitution had not expected the legislative power whose wishes the President was created to carry out, and which was alone responsible for the policy of government, to prove imbecile; yet everyone saw that Congress was sinking, or had already sunk, low in efficiency. Before the declaration of war, this condition of the Legislature was concealed by the factiousness which caused it; but the first meeting of Congress during the war disclosed one of the commonplaces of history — that no merely legislative body could control a single, concentrated Executive, even though it were in hands as little enterprising as those of President Madison. The declaration of war placed Congress in a new position. Although the sessions were unchanged in character, they became suddenly unimportant compared with Executive acts. Congress no longer counter-



control of his temper or his tongue, and after having been the readiest and boldest adviser of his party he had become a master in the art of silence. He expressed once more his belief in the necessity of taxation; but this done, he let Congress go its own gait.

Cheves aspired to abolish the remains of Jeffersonian statesmanship — non-importations, embargoes, and restrictions — and to restore the freedom of commerce; and in support of this scheme he obtained from Gallatin a letter, dated February 9, 1813, expressing the decided opinion that Congress must not only impose war taxes, both external and internal, but must also repeal the non-importation if the increased expenditures authorized by law were to be met. February 15, Cheves introduced a bill carrying out the Secretary's opinion so far as to suspend the Non-Importation Act in part, though continuing it against articles specially enumerated. Two days afterward, the House, by a vote of sixty-nine to forty-seven, instructed the Committee of Ways and Means to report tax bills, although Cheves complained that the instruction was deceptive, and that no system of taxation could possibly be adopted within the fortnight that remained of the session. Apparently Cheves looked on the motion as a maneuver to save the Non-Importation Act; but he could hardly have been prepared to see the Federalist member, Elisha Potter of Rhode Island, rise, February 20, and declare that his constituents had invested a capital of four or five million dollars in manufactures protected by non-importation and that Cheves's bill, sacrificing as it did the interests of the manufacturing States, ought not to pass.

Such a change of attitude foreshadowed a revolution. New England had her price. The system which Jefferson forced upon her at the cost of the Southern States had begun to work its intended effect. Under the pressure of Virginia legislation, New England was abandoning commerce and creating manufactures. While every Federalist newspaper in the country denounced the restrictive system without ceasing, nearly every Federalist in the House voted with Potter in its favor. By seventy-nine votes to twenty-four, the Committee of the Whole struck out Cheves's proposed relaxation and converted his bill into a measure for the stricter enforcement of non-importation. Cheves and Lowndes were then obliged to vote against their own bill, so amended, in a minority of forty-five to sixty-seven.

Nothing remained but to depend upon loans and call an extra session

to consider the taxes. The loan bill, passed January 26, authorized the President to borrow sixteen million dollars on any terms he could obtain, provided only that the nominal capital might be repaid at the end of twelve years. Attempts to limit the rates of interest and discount were defeated, and the bill passed by a vote of seventy-five to thirty-eight. Another bill immediately followed, authorizing the issue of Treasury notes bearing interest at five and two-fifths per cent, to be redeemed in one year. Five millions in such notes were to be issued at all events, and five millions more in case the loan should prove less advantageous than the notes. By these means Congress proposed to supply the needed twenty-one million dollars, although no one could say with confidence how much these millions would cost or whether they could be obtained at any price.

There ended the financial work of the session. The military and naval results were more considerable. Besides the Act increasing the soldiers' pay to eight dollars a month, Congress authorized the President to raise twenty new regiments of infantry for one year's service, with full pay, bounty of sixteen dollars, and invalid pensions of five dollars a month. Six new major-generals and an equal number of brigadiers were authorized February 24; the departments of the commissary and quartermaster-general were placed on a better footing; the general staff was organized with comparative liberality — until, March 3, 1813, the last day of Madison's first term, the President, who had begun his career of power in an Administration which in effect abolished army and navy, commanded a regular force consisting by law of fifty-eight thousand men, and was surrounded by major-generals and brigadiers by the dozen, instead of the solitary brigadier, Wilkinson, who had been left to command the frontier garrisons of 1801, while four ships-of-the-line, six forty fours, and six sloops-of-war were building to reinforce the six frigates and the rest of the navy actually in service; and in addition to all this, an unlimited order had been issued for flotillas on the Lakes.

With each new Act, John Randolph showed how his old friends were giving the lie to their old political professions; but by common consent party consistency was admitted to be no longer capable of defense. The party which had taken power in 1801, to carry out the principle that the hopes of society and the rights of the States must not be risked by war for points of pride or profits of commerce, declared with equal energy in 1812

that the country had no choice but to sacrifice hopes and rights because England would not expressly abandon a point of pride. Doubtless this momentary position was far beyond the conscious convictions of the party, but it made a precedent; and although political parties were apt to think that precedents could be ignored, history seldom failed to show that they decided the course of law. As far as concerned the Old Republican Party, the triumph of the national movement was for the time complete.

Yet the Government was not so rigid in its logic as it professed to be. If the dispute about impressment was to be settled, it must be settled by a general consent to abandon the practice. Whether Governments consented expressly or tacitly, by a preliminary agreement, by treaty, by legislation, or by simply ceasing to impress, was a matter of little concern provided the practice was stopped. The United States were not obliged to wage war on England or France merely because, under old international law, those Governments claimed what they called a right to seize their subjects on the high seas. Indeed, the cause of war would not have been removed by an express surrender of impressment on the high seas, though it had been accompanied by an equally express surrender of the right of search. The difficulty lay deeper and extended further than the American flag had the ability to go. Much the larger number of impressments took place on shore or within British waters. Many of the American seamen for whose sake the war continued to be fought were American only in the sense that they carried American papers. They were British-born, in British service, and were impressed in the grogshops of London or Liverpool. The American Government could hardly concede to its seamen the liberty refused to its ships — of carrying double sets of papers and appearing as American or British at will; yet if the American protection had legal meaning, it entitled the seaman to complete immunity, no matter where he might be, or might have been in the past, or might intend to be in the future, even though he had never been in the United States in his life.

Annoyed by this insuperable obstacle to an arrangement, Monroe offered the British Government to prohibit by Act of Congress the employment of British seamen in the public or private marine of the United States. The offer was meant as an inducement for England to sacrifice her seamen already naturalized in America, on the chance of recovering

those who might not carry American papers; but it bore to England the look of an evasion and was received by Lord Castlereagh in that sense.

The subject of impressment was so difficult to understand, even in its simpler facts, that the practical workings of this measure could not be foreseen. No one knew how many naturalized British seamen were in the American service or how many British seamen not naturalized; and there was no sufficient evidence to serve as the foundation for a probable guess as to the number of impressments from American ships.

Numbers of leading Republicans denounced the measure as feeble, mischievous, and unconstitutional. Only as an electioneering argument against the extreme Federalists, and as a means of satisfying discontented Republicans, was it likely to serve any good purpose; but the dangers of discord and the general apathy toward the war had become so evident as to make some concession necessary — and thus it happened that with general approval the law received the President's signature, and the next day the Twelfth Congress expired. With it expired President Madison's first term of office, leaving the country more than ever distracted and as little able to negotiate as to conquer.



BOOK FIVE

*The Second Administration of James Madison*

*1813-1817*



## CHAPTER EIGHTY-TWO

*England Angry*

THE AMERICAN DECLARATION OF WAR against England, July 18, 1812, annoyed those European nations that were gathering their utmost resources for resistance to Napoleon's attack. Russia could not but regard it as an unfriendly act, equally bad for political and commercial interests. Spain and Portugal, whose armies were fed largely if not chiefly on American grain imported by British money under British protection, dreaded to see their supplies cut off. Germany, waiting only for strength to recover her freedom, had to reckon against one more element in Napoleon's vast military resources. England needed to make greater efforts in order to maintain the advantages she had gained in Russia and Spain. Even in America, no one doubted the earnestness of England's wish for peace; and if Madison and Monroe insisted on her acquiescence in their terms, they insisted because they believed that their military position entitled them to expect it. The reconquest of Russia and Spain by Napoleon, an event almost certain to happen, could hardly fail to force from England the concessions, not in themselves unreasonable, which the United States required.

This was, as Madison to the end of his life maintained, 'a fair calculation'; but it was exasperating to England, who thought that America ought to be equally interested with Europe in overthrowing the military despotism of Napoleon, and should not conspire with him for gain. At first the new war disconcerted the feeble Ministry that remained in office on the death of Spencer Perceval: they counted on preventing it, and did their utmost to stop it after it was begun. The tone of arrogance which had so long characterized Government and press disappeared for the moment.

Castlereagh did not abandon the hope of peace until Jonathan Russell, August 24, reported to him the concessions which the President required antecedent to negotiation — the stoppage of impressments, dismissal of impressed seamen, indemnity for spoliations, and abandonment of paper blockades. The British Secretary intimated that he thought these demands, as conditions precedent to an armistice, somewhat insulting; and

in conversation he explained to Russell that such concessions would merely cost the Ministry their places without result.

The correspondence closed September 19, and Russell left England; but not until October 13, after learning that the President had refused to ratify the armistice made by Prevost with Dearborn, did the British Government order general reprisals — and even this order closed with a proviso that nothing therein contained should affect the previous authority given to Admiral Sir John Borlase Warren to arrange a cessation of hostilities.

The realization that no escape could be found from an American war was forced on the British public at a moment of much discouragement. Almost simultaneously a series of misfortunes occurred which brought the stoutest and most intelligent Englishmen to the verge of despair. In Spain, Wellington, after winning the battle of Salamanca in July, occupied Madrid in August and obliged Soult to evacuate Andalusia; but his siege of Burgos failed, and as the French generals concentrated their scattered forces, Wellington was obliged to abandon Madrid once more. October 21, he was again in full retreat on Portugal. The apparent failure of his campaign was almost simultaneous with the apparent success of Napoleon's; for the Emperor entered Moscow September 14, and the news of this triumph, probably decisive of Russian submission, reached England about October 3. Three days later arrived intelligence of William Hull's surrender at Detroit; but this success was counterbalanced by simultaneous news of Isaac Hull's startling capture of the *Guerrière* and the certainty of a prolonged war.

George Canning, speaking in open Parliament, said that the loss of the *Guerrière* and the *Macedonian* produced a sensation in the country scarcely to be equaled by the most violent convulsions of Nature. 'Neither can I agree with those who complain of the shock of consternation throughout Great Britain as having been greater than the occasion required. . . . It cannot be too deeply felt that the sacred spell of the invincibility of the British navy was broken by those unfortunate captures.'

Of all spells that could be cast on a nation, that of believing itself invincible was perhaps the one most profitably broken; but the process of recovering its senses was agreeable to no nation, and to England, at that moment of distress, it was as painful as Canning described. The matter

was not mended by the *Courier* and *Morning Post*, who, taking their tone from the Admiralty, complained of the enormous superiority of the American frigates, and called them ‘line-of-battle ships in disguise.’ Certainly the American forty-four was a much heavier ship than the British thirty-eight, but the difference had been as well known in the British navy before these actions as it was afterward; and Captain Dacres himself, the Englishman who best knew the relative force of the ships, told his court of inquiry a different story: ‘I am so well aware that the success of my opponent was owing to fortune that it is my earnest wish, and would be the happiest period of my life, to be once more opposed to the *Constitution*, with them [the old crew] under my command, in a frigate of similar force with the *Guerrière*.’ After all had been said, the unpleasant result remained that in future British frigates, like other frigates, could safely fight only their inferiors in force. What applied to the *Guerrière* and *Macedonian* against the *Constitution* and *United States*, where the British force was inferior, applied equally to the *Frolic* against the *Wasp*, where no inferiority could be shown.

Society soon learned to take a more sensible view of the subject, but as the first depression passed away a consciousness of personal wrong took its place. The United States were supposed to have stabbed England in the back at the moment when her hands were tied, when her existence was in the most deadly peril and her anxieties were most heavy. England never could forgive treason so base and cowardice so vile. That Madison had been from the first a tool and accomplice of Bonaparte was thenceforward so fixed an idea in British history that time could not shake it. Indeed, so complicated and so historical had the causes of war become that no one even in America could explain or understand them, while Englishmen could see only that America required England as the price of peace to destroy herself by abandoning her naval power, and that England preferred to die fighting rather than to die by her own hand. The American party in England was extinguished; no further protest was heard against the war; and the British people thought moodily of revenge.

This result was unfortunate for both parties, but was doubly unfortunate for America, because her mode of making the issue told in her enemy’s favor. The same impressions which silenced in England open sympathy with America stimulated in America acute sympathy with England. Argument was useless against people in a passion, convinced of their own

injuries. Neither Englishmen nor Federalists were open to reasoning. They found their action easy from the moment they classed the United States as an ally of France, like Bavaria or Saxony; and they had no scruples of conscience, for the practical alliance was clear, and the fact proved sufficiently the intent.

Almost immediately England recovered from her dismay; for November 11 news arrived that the Russians were again masters of Moscow and that Napoleon was retreating. Day after day the posts arrived from Russia, bringing accounts more and more encouraging, until, when Parliament met, November 24, the hope that Napoleon might never escape from Russia had become strong.

Thus the new Ministry found themselves able to face opposition with unexpected strength. Madison's calculations, reasonable as they seemed to be, were overthrown, and the glow of English delight over the success of Russia made the burden of the American war seem easy to bear. In Parliament hardly a voice was raised for peace. The Marquess Wellesley in the debate on the King's Speech attacked Ministers, not because they had brought the country into war with America, but because they had been unprepared for it; 'they ought as statesmen to have known that the American Government had been long infected with a deadly hatred toward this country, and, if he might be allowed an unusual application of a word, with a deadly affection toward France.'

This debate took place November 30, two days after the destruction of Napoleon's army in passing the Beresina. From that moment, and during the next eighteen months, England had other matters to occupy her mind than the disagreeable subject of the American war. The interest of England turned to the negotiations and military movements of the Continent. After January 1, 1813, Englishmen never willingly thought of the American war or gave attention to terms of peace. They regarded the result in America as dependent on the result in Germany; and they would have ignored the war altogether had not the American frigates and privateers from time to time compelled their attention.

The loss of two or three thirty-eight-gun frigates on the ocean was a matter of trifling consequence to the British Government, which had a force of four ships-of-the-line and six or eight frigates in Chesapeake Bay alone, and which built every year dozens of ships-of-the-line and frigates to replace those lost or worn out; but although

the American privateers wrought more injury to British interests than was caused or could be caused by the American navy, the pride of England cared little about mercantile losses and cared immensely for its fighting reputation. The theory that the American was a degenerate Englishman — a theory chiefly due to American teachings — lay at the bottom of British politics. Even the late British minister at Washington, Foster, a man of average intelligence, thought it manifest good taste and good sense to say of the Americans in his speech of February 18, 1813, in Parliament, that ‘generally speaking, they were not a people we should be proud to acknowledge as our relations.’ Decatur and Hull were engaged in a social rather than in a political contest, and were aware that the serious work on their hands had little to do with England’s power, but much to do with her manners. The mortification of England at the capture of her frigates was the measure of her previous arrogance.

The process of acquiring knowledge in such light as was furnished by the cannon of Hull, Decatur, and Bainbridge could not be rendered easy or rapid. News of the American victories dropped in at intervals, as though American captains intentionally prolonged the enjoyment of their certain success in order to keep England in constant ill-temper. News of the *Java* arrived about the middle of March, and once more the press broke into a chorus of complaints.

The immediate moral drawn from these complaints was the necessity of punishing the United States; but no one could longer deny that the necessary punishment was likely to prove tedious and costly. February 18, Parliament took up the subject of the American war, and both Houses debated it. In the Lords, Bathurst made a temperate speech devoted to showing that America in claiming immunity from impressments claimed more than England could afford to yield — ‘a right hitherto exercised without dispute, and of the most essential importance to our maritime superiority.’ Lord Lansdowne replied with tact and judgment, rather hinting than saying that the right was becoming too costly for assertion. ‘Some time ago it was imagined on all hands that in the event of a war with America, the first operation would be the destruction of her navy. What the fact had turned out to be, he was almost ashamed to mention. If anyone were asked what had been the success of our navy in this war, he would unfortunately find some difficulty in giving an answer.’

Such a debate was little likely to discourage America. Even at that early moment Parliament was evidently perplexed, and would willingly have yielded had it seen means of escape from its naval fetish, impressment.

The spring came, bringing no new prospects. England refused to make a suggestion on which the Governments could discuss terms of peace. She refused even to think upon the problem, but massed a huge armament in Chesapeake Bay and Delaware River to restore her naval invincibility. Yet reflection seemed still to be silently at work, for, March 22, the *Times* interrupted its outcry over the loss of the *Java* by publishing a temperate article on the new Foreign Seamen Bill of Congress — an article in which the suggestion first appeared that peace might after all be restored by simply omitting in the pacification any mention of impressment. The idea found support nowhere; but while, insufficient as it seemed, the human imagination could hardly conceive of any other expedient, at the same moment the uselessness of trying to obtain peace on any terms was made clear by the interference of the Russian Czar.

Napoleon declared war against Russia June 22, four days after the American declaration against England; crossed the Niemen June 24, and August 1 was already at Vitebsk, about three hundred miles south of St. Petersburg and about equally distant from the frontier and from Moscow. There, in the heart of Russia, he paused to collect his strength for some blow that should lay the Russian Empire at his feet; and while he hesitated, the Czar, August 3, returned to his capital to wait.

News of the American declaration of war reached St. Petersburg August 6, and added a new anxiety to the overburdened mind of Alexander. The American minister at that Court found himself in a delicate position. His Government declared war against England and became for military purposes an ally of France at the moment when Russia entered into formal alliance with England and went to war with France.

At the moment when Brock with his force of a few hundred men attacked Detroit, Napoleon with two hundred thousand men moved upon Smolensk and the Russian army. August 15, he celebrated his fête-day on the banks of the Dnieper; and while Hull was surrendering the fort of Detroit, the Russian army, hardly in better humor than the Ohio militia, were preparing to abandon Smolensk to save themselves from Hull's fate. Napoleon took possession of the town August 18, but failed to destroy

the Russian army, and then, turning away from St. Petersburg, pursued his retreating enemy toward Moscow. The battle of Borodino, or Moscowa, followed, September 6, and the French army entered Moscow September 14. There it remained more than a month.

During these weeks of alarm and incessant fighting, the Czar still found time to think of American affairs. September 21, Roumanzoff sent for Adams and said that the Emperor had been much concerned to find the interests of his subjects defeated and lost by the new war, and it had occurred to him that perhaps an arrangement might be more easily made by an indirect than by a direct negotiation: he wished to know whether an offer of mediation on his part would meet with any difficulty on the part of the United States. Adams replied that his Government could not fail to consider it as a new evidence of the Czar's friendship, but suggested that there was a third party to be consulted — the British Government. Roumanzoff answered that he had already sounded the British minister, who had written to Lord Castlereagh on the subject.

The British Government would have preferred to make no answer to the Russian offer of mediation, but Castlereagh had every reason to conciliate the Czar, and rather than flatly reject a suggestion from such a source, he replied that he thought the time had not yet come and that the offer would not be accepted by America. So it happened that the offer of Russian mediation went to America without positive objection from England, finding its way slowly across the Atlantic during the winter months.

With it went the tale of Napoleon's immense disaster. October 23 he began his retreat; November 23 he succeeded in crossing the Beresina and escaping capture; December 5 he abandoned what was still left of his army; and December 19, after traveling secretly and without rest across Europe, he appeared suddenly in Paris, still powerful, but in danger. Nothing could be better calculated to support the Russian mediation in the President's mind. The possibility of remaining without a friend in the world, while carrying on a war without hope of success, gave to the Czar's friendship a value altogether new.

Other news crossed the ocean at the same time, but encouraged no hope that England would give way. First in importance, and not to be trifled with, was the British official announcement, dated December 26, 1812, of the blockade of the Chesapeake and Delaware.

The blockade, though serious beyond all other military measures, roused less attention and less protest than another measure of the British Government which had the character of a profitable insult. A circular dated November 9, addressed to the Governors of West Indian colonies by the British Government, authorized them to issue licenses for importation of necessary supplies during the war — a precaution commonly taken to meet the risk of famine in those regions. The Governor of the Bermudas, in issuing a proclamation January 14, 1813, published the circular, which contained one unusual provision:

Whatever importations are proposed to be made, under the order, from the United States of America, should be by your licenses confined to the ports in the Eastern States exclusively, unless you have reason to suppose that the object of the order would not be fulfilled if licenses are not also granted for the importations from the other ports in the United States.

Probably the discrimination was intended, like the exemption from blockade, as a favor to New England, and must have been meant to be more or less secret, since publication was likely to counteract its effect; but in time of war the British Government was at liberty to seek supplies where it chose.

Madison thought differently. He sent to Congress, February 24, 1813, a special Message expressing indignation at the conduct of England.

The policy now proclaimed to the world [he charged] introduces into her modes of warfare a system equally distinguished by the deformity of its features and the depravity of its character — having for its object to dissolve the ties of allegiance and the sentiments of loyalty in the adversary nation, and to seduce and separate its component parts the one from the other. The general tendency of these demoralizing and disorganizing contrivances will be reprobated by the civilized world.

Although many persons shared Madison's view of war as a compulsory process of international law, Federalists and Republicans were at a loss to understand his view of 'deformity' and 'depravity' in modes of warfare. The whole truth in regard to West and East Florida was not known, but so much was notorious, even in 1811, as to warrant the British minister in protesting 'against an attempt so contrary to every principle of public justice, faith, and national honor.' What the United States could do in Florida in time of peace, England could surely do in Massachusetts

in time of war; but if England's conduct was in reality deformed and depraved, as charged, the celebrated proclamation of William Hull to the Canadians in 1812, inviting them to quit their allegiance and to 'choose wisely' the side of the United States, should have been previously disavowed by the United States Government. No little ridicule was caused by the contrast between Madison's attitude toward Canada and his denunciation of England's attitude toward Massachusetts.

Taken together, the news from Europe in the last days of winter gave ground for deep reflection. With the overthrow of Napoleon's authority and the close alliance between Great Britain and Russia, the last chance of forcing concessions from England vanished. A long war, with no prospect of success, lay before the United States. New York Harbor, the Delaware River, and Chesapeake Bay were already so nearly closed to commerce as to foreshadow complete stoppage; and if Boston was still open, its privileges must soon cease unless Great Britain deliberately intended to regard New England as neutral. All this, though alarming enough, might be met with courage; but against the pronounced disaffection of Massachusetts and Connecticut no defense existed; and whenever those States should pass from stolid inertia into the stage of active resistance to the war, the situation would become hopeless. Under such circumstances England would have a strong motive for refusing peace on any terms.

Into this imbroglio of national difficulties Daschkoff, the Russian chargé at Washington, suddenly dropped the Czar's offer to mediate a peace. Of its prompt acceptance, under such circumstances, no one could doubt, and on this point the Administration was united. Daschkoff's letter bore date March 8, and Monroe's reply was sent March 11. The letter of reply was a civil and somewhat flattering compliment to Alexander; the mission itself was a matter to be more deliberately arranged.

The next decision regarded the character of the mission. The necessary powers might have been sent, without further form, to Minister Adams at St. Petersburg, but the President and his advisers thought with reason that the addition of other negotiators to the mission would give more weight and political effect to the measure. They decided to send two new envoys to join Adams; and on the same reasoning to select prominent men. As a guaranty of their wish for peace, they decided that one of these men should be a Federalist, and they chose James A. Bayard of Delaware

for the post. For the other, Monroe thought of naming some Western man, to secure the confidence of the Western country and reconcile it to the result; but a different turn was given to the measure by Gallatin, who asked the appointment for himself. Gallatin's exceptional fitness for the task outweighed all objections. The President consented to appoint him; and Monroe, who had from the first attached himself to Gallatin, acquiesced, although he saw the consequences to the Cabinet and the Treasury.

The President did not intend to lose Gallatin in the Treasury. Gallatin himself inclined to look on his separation from the Treasury as final, but made his arrangements in agreement with the President's views, which looked to his return in the autumn.

Before he could depart, he was obliged to complete the necessary financial arrangements for the coming year, on which he was busily engaged at the moment when Daschkoff's letter arrived. First in importance was the loan of sixteen million dollars. March 12, subscription books were opened in all the principal towns and the public was invited to take the whole amount at seven per cent interest, to be reduced to six per cent at the end of thirteen years. About four million dollars were offered on these terms. Proposals in writing were then invited by a Treasury circular, dated March 18, and after an active negotiation between Gallatin and three or four capitalists of New York and Philadelphia — John Jacob Astor, Stephen Girard, David Parish — the remainder of the loan was provided. In all about eighteen millions were offered.

Perhaps the loan could not have been taken at all had not credit and currency been already expanded to the danger-point, as the allotment showed; for while New England, where most of the specie was held, subscribed less than half a million, and Boston took but seventy-five thousand, Pennsylvania, where banking had become a frenzy, took seven million dollars. New York and Baltimore together contributed only half a million more than was given by Philadelphia alone. Ten million dollars were taken by Astor, Girard, and Parish — three foreign-born Americans, without whose aid the money could not have been obtained on these terms, if at all.

The bargain was completed April 7. This done, and every question having been settled that could be foreseen — the tax bills ready to be laid before Congress, and even the draft for a new bank charter prepared —

Gallatin bade farewell to the Treasury, and May 9 sailed from the Delaware River, with Bayard, for the Baltic.

Twelve years had passed since Gallatin took charge of the finances, and his retirement was an event hardly less serious than a change of President; for it implied that the political system he had done so much to create and support stood so near the brink of disaster as to call him from the chosen field of his duties into a new career, where, if anywhere, he could save it. As Monroe felt called to the army, so Gallatin turned naturally to diplomacy. He knew that after another year of war the finances must be thrown into disorder like that of the Revolutionary War, beyond the reach of financial skill; and he believed that if anyone could smooth the path of negotiation, that person was likely to serve best the needs of the Treasury. Yet he took grave responsibility, of which he was fully aware, in quitting his peculiar post at a moment so serious. Success alone could save him from universal censure; and perhaps nothing in his career better proved the high character he bore, and the extraordinary abilities he possessed, than the ease with which he supported responsibility for this almost desperate venture.

The task he had set for himself was hopeless, not so much because of the concessions he was to require as on account of the change in European affairs which made England indifferent for the moment to any injury the United States could inflict. Monroe's instructions to the new commission, though long, consisted largely in arguments against the legality of impressment. Without a clear and distinct stipulation against impressments, no treaty was to be signed; negotiations must cease and the negotiators must return home.

## CHAPTER EIGHTY-THREE

*The River Raisin*

DURING THE WINTER the Republican Legislature of New York chose Rufus King, the chief Federalist in the country, to succeed John Smith as United States Senator. The annoyance to the Administration was the greater because King's Republican colleague, Obadiah German, belonged to the Clintonian Opposition and voted with the Federalists. Already the Opposition threatened to outweigh the votes on which the President could depend. As though legislation had become a matter of inferior importance, William H. Crawford of Georgia, the only vigorous Republican leader in the Senate, resigned his seat and followed Gallatin to Europe. He was sent to take the place of Joel Barlow at Paris, and hurried to his post. In this condition of party weakness, the election of Rufus King to the Senate was a disaster to the Administration; and all the more anxiously the President feared lest the popular election in May should convert New York altogether into a Federalist State, and give Massachusetts the necessary strength to stop the war.

This election, on which the fate of the war was believed to turn, took place as usual, May 1, and began by a Federalist success in the city of New York, followed by another in Kings, Queens, and Westchester Counties. Throughout the eastern and central counties the election was disputed; three of the four districts into which the State was divided left the result so close — within about three hundred votes — that only the western counties of Cayuga, Seneca, and Genesee turned the scale. Governor Tompkins was re-elected by the moderate majority of three thousand in a total vote of eighty-three thousand; but the Federalists obtained a majority of ten in the Assembly and gained confidence with their strength. In this election, for the first time, the issue was distinct between those who supported and those who opposed the war. The chief towns, New York, Hudson, and Albany, were strong in opposition; the country districts tended to support.

In Massachusetts the Federalist Governor, Caleb Strong, who had made himself peculiarly obnoxious by refusing to call out the State's quota of militia, received nearly fifty-seven thousand votes, while



An illustration of the dangers into which the spirit of faction at that excited moment led the factious was furnished by the Legislature of Massachusetts, which met, May 26, and, after listening to a long speech from Governor Strong arraigning the National Government for its injustice to England and partiality to France, referred the subject to committees which lost no time in reporting. One of these reports, presented June 4 by Josiah Quincy of the State Senate, closed with a resolution that the Act admitting Louisiana into the Union violated the Constitution and that the Massachusetts Senators in Congress should use their utmost endeavors to obtain its repeal. Another report, by a joint committee, contained a remonstrance addressed to Congress against the war, couched in terms of strong sectional hostility to the Southern States and marked throughout by a covert argument for disunion. A third report, also by Josiah Quincy, on a naval victory lately won by Captain James Lawrence of the *Hornet*, contained a phrase even longer remembered than Quincy's assertion that the Government could not be kicked into a war. The Government had in fact been kicked into the war. He reported that, in order not to give offense to many of the good people of the Commonwealth by appearing to encourage the continuance of an unjust, unnecessary, and iniquitous war, the Massachusetts Senate, while admiring Lawrence's virtues, refrained from approving his acts:

And to the end that all misrepresentations on this subject may be obviated,

*Resolved*, as the sense of the Senate of Massachusetts, that in a war like the present, waged without justifiable cause, and prosecuted in a manner which indicates that conquest and ambition are its real motives, it is not becoming a moral and religious people to express any approbation of military or naval exploits which are not immediately connected with the defense of our seacoast and soil.

Such tactics, whether in or out of Congress, were more dangerous to their authors than any blunders of the Administration could ever be to the party in power. If the nation should be successful in the war, it might perhaps in good-nature leave unpunished the conduct of its malcontents; but if by their means the nation should be conquered or forced into a humiliating peace, the people would never forget and never forego revenge. Mere opposition to foreign war rarely injured public men, except while the war fever lasted. Many distinguished statesmen of Europe

and America had been, at one time or another, in opposition to some special war — as was the case with Talleyrand, Charles James Fox, Lord Grey, Jefferson, and Madison; but opposition became unpardonable when it took a form which could have no apparent object except national ruin. The Federalists who held the ideas expressed by the Legislature of Massachusetts could explain or defend their future course only by the conviction that the inevitable and long-expected ‘crisis’ was at hand, which must end either in disunion or in reconstruction of the Union on new ground. As ‘a moral and religious people,’ they separated from the common stock, and thenceforward, if the Union lasted, could expect no pardon.

The extravagance of the Massachusetts Federalists was counterbalanced by the same national disasters which caused it. Nothing showed that the war was popular in any of the seaboard States; but the pressure of circumstances, little by little, obliged lukewarm and even hostile communities to support it. Perhaps the strongest proof of change in popular prejudices was furnished by the taxes. Tax bills, which were supposed to have already overthrown one great political party — bills which inflicted the evils so hotly and persistently denounced by Jefferson, Gallatin, and John Randolph in opposition, and which had been long delayed by fear of their popular effect — were passed by Congress quickly, by decided votes.

The most curious symptom, and the one which most perplexed the Federalists, was that this popular movement of concentration acted in direct resistance to the movement of events. In every respect, as the Federalists looked back at the past twelve years, their prophecies had come true. The Republican Party, they argued, had proved itself incompetent and had admitted the failure of its principles; it had been forced to abandon them in practice, to replace the Government where the Federalists had put it, and to adopt all the Federalists’ methods; and even then the party failed. Equally imbecile in peace and war, the democratic movement had ended in such disgrace and helplessness as few Governments had ever outlived, and such as no nation with a near and powerful neighbor could have survived. In 1813 the evidence of downfall had become patent. The Government was ruined in credit and character; bankrupt, broken, and powerless, it continued to exist merely because of habit and must succumb to the first shock. All this the Federalists had

long foreseen. Fisher Ames in the press, scores of clergymen in the pulpit, numberless politicians in Congress, had made no other use of their leisure than to point out, step by step, every succeeding stage in the coming decline. The catastrophe was no longer far away, it was actually about them — they touched and felt it at every moment of their lives. Society held itself together merely because it knew not what else to do.

Under circumstances following each other in necessity so stringent, no Federalist could doubt that society would pursue the predicted course; but it did not. Illogical and perverse, society persisted in extending itself in lines which ran into chaos. The threatened ‘crisis’ had arrived, wanting no characteristic of those so long foretold; but society made no effort to save itself. A vaster ruin and still more terrible retribution lay beyond. The Federalists were greatly and naturally perplexed at discovering the silent undercurrent which tended to grow in strength precisely as it encountered most resistance from events. They tried to explain the phenomenon in their own way — the clergy according to religious conceptions, the politicians according to their ideas of popular character.

The fall of Detroit and Chicago in August, 1812, threw the American frontier back to the line of the Wabash and the Maumee and threatened to throw it still farther back to the Indian boundary itself. The Miami or Maumee River was defended by Fort Wayne; the Wabash had no other defense than the little fort or blockhouse which Harrison built during the Tippecanoe campaign, and named after himself. Fort Harrison stood near the later city of Terre Haute, close to the border of Illinois; Fort Wayne stood within twenty miles of the Ohio border. The width of Indiana lay between the two.

Upon the State of Ohio, with its quarter of a million inhabitants, and of Kentucky with four hundred thousand, fell the immediate burden of defending the border between the Ohio and the Lakes. Governor William Henry Harrison of the Indiana Territory, leaving Vincennes June 19, the day after the declaration of war, was at Cincinnati when threatening news began to arrive from Detroit. Harrison had military knowledge and instincts. He saw that, after the capture of Mackinaw, Detroit must fall, and that Hull could save himself only by evacuating it. Harrison’s ambition, which had drawn him to Tippecanoe, drew him also to lead

the new crusade for the relief or recovery of Detroit. He went to Kentucky at the invitation of Governor Scott, and under the patronage of Scott and Henry Clay he took the direction of military affairs. By general acclamation, and on the warm assurances of universal popular approval, the measure was taken; and Harrison started at once for Cincinnati and Detroit to organize the campaign. The news of Hull's surrender met him as he left Frankfort.

By this combination of skill and accident, Harrison reached the object of his ambition — the conduct of war on a scale equal to his faith in his own powers; but the torrent of Western enthusiasm swept him forward faster than his secret judgment approved. Appointed by caucus the general of volunteers, he could keep his position only by keeping his popularity. Meanwhile, the President and Eustis, learning what had been done in Kentucky, after much debate decided to give to Harrison the commission of Brigadier-General, with the command of the north-western army, to consist of ten thousand men, with unlimited means and no orders except to retake Detroit. Brigadier-General Winchester, who was already at Fort Wayne, was given the option of serving under Harrison or of joining the army at Niagara.

These new orders reached Harrison September 25 at Piqua. Harrison wrote to the Secretary, announcing his plan for the autumn campaign. Three columns of troops, from widely distant quarters, were to move to the Maumee Rapids — the right column, consisting of Virginia and Pennsylvania troops, by way of the Sandusky River; the center column, of twelve hundred Ohio militia, by Hull's road; the left column, consisting of four Kentucky regiments and the Seventeenth United States Infantry, was to descend the Auglaize River to Fort Defiance on the Maumee, and thence to fall down that river to the point of junction with the two other columns.

Within a month after assuming command, Harrison found himself helpless either to advance or to retreat or to remain in any fixed position. The supplies required for ten thousand troops could not be sent forward by any means then known. October 22, the left column, consisting of the Kentucky regiments and some regulars, was at Defiance on the Maumee; the central column of a thousand Ohio troops under General Tupper was on Hull's road, a hundred miles from the Maumee, unable to march beyond Urbana, where its supplies were collecting; the right column of

Pennsylvanians and Virginians was still farther from the front, slowly approaching the Sandusky River from the southeast, but far out of reach.

The obstacle which brought Harrison's autumn campaign to this sudden close was the vast swamp that extended from the Sandusky River on his right to the Auglaize River on his left, and for the moment barred the passage of his necessary supplies as effectually as though it had been the Andes. Hull had crossed it, cutting a road as he went, and no one had then appreciated his effort; but he had marched with a small force in May and June. Harrison tried to transport supplies, heavy guns, military stores, and all the material for an army of ten thousand men on a long campaign, as the autumn rains set in.

Throughout the months of October and November, Harrison's army stood still, scattered over the State of Ohio, while wagons and pack-horses wallowed in mud toward the Maumee Rapids. None arrived. Sometimes the wagons were abandoned in the mud; sometimes the pack-horses broke down; sometimes the rivers were too low for boats; then they froze and stopped water transport. Universal confusion, want of oversight and organization, added to physical difficulties, gave play to laziness, incapacity, and dishonesty. No bills of lading were used; no accounts were kept with the wagoners; and the teams were valued so high, on coming into service, that the owners were willing to destroy them for the price to be received.

Without the control of the Lake, any army beyond the Maumee must starve or surrender. The Government had already paid a vast price in money and men in order to obtain this knowledge; yet Harrison proposed a winter campaign, with full persuasion of its uselessness. December 20, he sent orders to Winchester to descend the Maumee River from Defiance to the rapids, there to prepare sleds for an expedition against Malden, to be made by a choice detachment when the whole army should concentrate at the rapids. Early in January, the ground being at last frozen, provisions in large quantities were hurried to the Maumee River. Artillery was sent forward. The Pennsylvania and Virginia brigades moved to the Sandusky River, making an effective force of fifteen hundred men at that point. The whole effective force on the frontier amounted to six thousand three hundred infantry.

Aware that from a military point of view no land campaign could, except by accident, effect any result proportionate to its cost, Harrison

had placed himself at the head of a popular movement so strong that he would have met the fate of Hull and Alexander Smyth had he not made at least a demonstration against an enemy whose face he had not yet seen. Forced by his own pledges and the public discontent to enter on an unmilitary campaign, he was anxious to risk as little as possible where he could hardly expect to gain anything; and he would probably have contented himself with his first scheme of a *coup-de-main* against Malden or Detroit, without attempting to hold either place, had not his subordinate, General Winchester, rescued him from an awkward position by a blunder that relieved Harrison of further responsibility.

Brigadier-General Winchester was a planter of Tennessee, sixty-one years old, and formerly an officer in the Revolutionary War. Winchester's force included three regiments of Kentucky militia, numbering nine hundred effectives, and the Seventeenth United States Infantry, numbering three hundred men, also Kentuckians. Altogether he had under his command at the rapids about thirteen hundred men — a force barely sufficient to hold the exposed position it had taken on the north bank of the river. Every military motive warned Winchester not to divide, detach, or expose his troops without caution. He was himself a detachment, and he had no support nearer than the Sandusky.

While the troops were busily engaged in building a storehouse and throwing up log works in an injudicious and untenable position, two Frenchmen came into camp, begging protection for the inhabitants of Frenchtown on the river Raisin, thirty miles in front, and within the British lines. Thirty-three families, or about one hundred and fifty persons, were resident at Frenchtown, and the place was held by a few Canadian militia, supposed to consist of two companies, with about as many Indians — in all, some three hundred men. This force might easily be destroyed, and the loss to the British would be serious. Winchester's troops became eager to dash at them. A council of war decided, January 16, without a voice in remonstrance, that the movement should be made.

The next morning, January 17, 1813, Colonel William Lewis, of the Fifth Kentucky militia, started for the river Raisin with four hundred and fifty men. A few hours afterward he was followed by Colonel Allen with one hundred and ten men.

They marched on the ice, along the shore of Maumee Bay and Lake Erie, until nightfall, when they camped, and at two o'clock the next

afternoon, January 18, reached without meeting resistance the houses on the south bank of the river Raisin. The north bank was occupied by fifty Canadian militia and two hundred Indians. The British force opened fire with a three-pound howitzer. The action began at three o'clock and lasted till dark, when the enemy after an obstinate resistance was driven about two miles into the woods with inconsiderable loss.

Colonel Lewis had orders to take possession of Frenchtown, and hold it. He reported his success to General Winchester at the rapids, and remained at Frenchtown waiting further orders. Winchester became then aware that the situation was hazardous. Six hundred men were with him in a half-fortified camp on the north bank of the Maumee; six hundred more were thirty miles in advance, at the Raisin River; while fully two thousand — or, according to Harrison's estimate, four thousand — enemies held two fortresses only eighteen miles beyond the Raisin. The Kentuckians at the Maumee, equally aware of their comrades' peril, insisted on going to their aid. Winchester promptly started on the evening of January 19, and arrived at Frenchtown the next morning. Colonel Wells's Seventeenth United States Infantry, two hundred and fifty men, followed, arriving at Frenchtown in the evening.

Winchester, before leaving the Maumee Rapids, sent a dispatch to Harrison with a report of the battle of the eighteenth, which met Harrison on the road hurrying to the Maumee Rapids. The next morning, January 20, Harrison arrived at the camp on the Maumee, and found there about three hundred Kentucky troops, the remainder being all with Winchester at the river Raisin.

The first movements of the British commander, General Proctor, at the Raisin River showed no apparent sign of his being 'so extremely wanting in professional knowledge, and deficient in those active, energetic qualities which must be required of every officer,' as his later career, in the Prince Regent's opinion, proved him to be. He had opposed Brock's bold movement on Detroit; but he did not hesitate to make a somewhat similar movement himself. January 21, he marched with artillery across the river on the ice to Brownstown, opposite Malden, in full view of any American patrol in the neighborhood. His force consisted of six hundred whites, all told, besides either four hundred and fifty, six hundred, or eight hundred Indians, under the chief, Round Head, Tecumthe being absent collecting reinforcements on the Wabash.

Had Proctor dashed at once on the defenseless Seventeenth Regiment and the fence that covered the militia, he would probably have captured the whole without loss; but he preferred to depend on his three-pound guns, which gave the Kentuckians opportunity to use their rifles. Within an hour the Forty-First Regiment lost fifteen killed and ninety-eight wounded, and of the entire body of six hundred British troops not less than twenty-four were killed and one hundred and sixty-one wounded. Their three-pound guns were abandoned, so murderous were the Kentucky rifles. Had all the American troops been under cover, the battle would have been theirs; but Wells's Seventeenth Regiment was a hundred yards away, on open ground outside the picket fence on the right, where it was flanked by the Canadian militia and Indians and driven back toward the river, until Allen's Rifle Regiment went out to help it. Gradually forced toward the rear, across the river, this part of the line was at last struck with a panic and fled, carrying with it Winchester himself, Colonel Allen, and Colonel Lewis; while six hundred Indians were in hot pursuit or already in advance of them.

In the deep snow escape was impossible. Nearly a hundred Kentuckians fell almost side by side, and were scalped. General Winchester and Colonel Lewis were so fortunate as to fall into the hands of the chief, Round Head, who first stripped them and then took them to Proctor, who had for the time withdrawn his forces and ceased firing. By Proctor's advice, General Winchester sent an order to the men within the picket fence to surrender.

By eight o'clock all resistance had ceased except from three hundred and eighty-four Kentuckians who remained within the picket fence, under the command of Major Madison of the Rifle Regiment. Surrounded by a thousand enemies, they had no chance of escape. Their ammunition was nearly exhausted; retreat was impossible; they could choose only between surrender and massacre, and they surrendered.

Had Proctor acted with energy, he might have advanced to the rapids, and there have captured Harrison with his remaining force of nine hundred men, his artillery train and stores. Even with the utmost celerity, Harrison could hardly have escaped if an active pursuit had been made by Indians through the swamp which he had with extreme difficulty crossed two days before and in the heavy rain which followed the battle; but Proctor had no wish for fighting. So far from thinking of attack, he

thought only of escaping it, and hurried back to Malden at noon the same day, leaving the wounded prisoners behind without a guard. Nothing excused such conduct, for Proctor knew the fate to which he was exposing his prisoners. That night the Indians, drunk with whiskey and mad with their grievances and losses, returned to Frenchtown and massacred the wounded.

## CHAPTER EIGHTY-FOUR

### *Proctor and Perry*

**I**F PROCTOR was afraid of Harrison, with more military reason Harrison was afraid of Proctor; and while the British colonel, deserting his wounded prisoners, hurried from the field of battle and felt himself in danger until the next day he was again entrenched at Malden, at the same moment Harrison, burning the post at the Maumee Rapids and destroying such stores as were collected there, hastened back to the Portage or Carrying River, some fifteen miles in the rear. Within thirty-six hours after the battle, the two enemies were sixty miles apart. At the Portage River, Harrison remained a week, until he had collected a force of two thousand men. With these he returned to the rapids February 1, and began to construct a regularly fortified camp on the south bank of the river. Fort Meigs, as it was called, did credit to the skill of Major Wood, the engineer officer who constructed it; but such a fortress seemed rather intended for defense than for the conquest of Canada.

In fact, Harrison had succeeded only in making the most considerable failure that had thus far marked the progress of the war; but while the public was still assuming treason and cowardice in William Hull, who had been sent with fifteen hundred men to hold Detroit and conquer Canada and had been left unsupported to face destruction — the same public admitted the excuses of Harrison, who, with ten thousand men, unlimited means, and active support at Niagara, after four months of effort failed even to pass the Maumee River except with a detachment so badly managed that only thirty-three men in a thousand escaped. This was the crowning misfortune which wrung from Gallatin the complaint that a ‘real incapacity’ for war existed in the Government itself and must inevitably exhaust its resources without good result; but although it drove Gallatin to Europe, it left Harrison on the Maumee.

The General, not inclined to sink into obscurity or to admit failure, set himself to a third campaign as hopeless as either of its predecessors. Ordering all the troops in his rear to join him, making a body of four thousand men, he fixed February 11 as the day for his advance on Malden, not expecting to reduce that place, but merely to raid it. When the day arrived, the roads had again become impassable, the ice was no longer

safe; and Harrison, ‘with much reluctance and mortification,’ was reduced to write from the Maumee Rapids to the Secretary of War that the campaign must cease.

President Madison and two successive Secretaries of War had allowed themselves, for fear of displeasing Kentucky, to give Harrison *carte blanche*, which Harrison had used without other limit than that of the entire resources of the West. The time at last came when such management must be stopped, and Secretary Armstrong, naturally impatient under the load of Eustis’s and Monroe’s failures, quickly decided to stop it. Harrison’s letter of February 11, announcing his failure, reached the Department March 1. March 5, the Secretary wrote to Harrison ordering him to maintain a threatening attitude, but altering the mode of warfare. Henceforward the army was to be made subordinate — the navy was to take the lead; and until the middle of May, when the fleet on Lake Erie should be constructed, Harrison was to maintain a strict defensive and to protect the line of the Maumee with six regular regiments, only three of which had been yet partly raised.

Then the value of General Proctor to his enemy became immense. Between January 22, when he attacked Winchester, and the end of April, when he moved on Fort Meigs, Proctor molested in no way the weak and isolated American garrisons. With hundreds of scouts and backwoodsmen at his command, he had not the energy or the knowledge to profit by his opponents’ exposed and defenseless condition.

Not till April 28 did Proctor appear at the mouth of the Maumee, with about five hundred regulars and nearly as many militia — nine hundred and eighty-three whites, all told, and twelve hundred Indians under Tecumthe and other chiefs. Besides this large force, he brought two twenty-four-pound guns with other artillery from Detroit, and two gun-boats supported the land battery. While the guns were placed in position on the north bank of the river, the Indians crossed and surrounded the fort on the south. May 1, the batteries opened, and during four days kept up a heavy fire. Proctor, like Harrison, moved in the wilderness as though he were conducting a campaign on the Rhine; he liked regular modes of warfare, and with a force almost wholly irregular, after allowing Fort Meigs to be built, he besieged it as though he could take it by battering its earthen ramparts. Untaught by his losses at the river Raisin, he gave once more advantage to the Kentucky rifle; and with every op-

portunity of destroying the reinforcement which he knew to be near, he allowed himself to be surprised by it.

The Kentucky brigade of twelve hundred men, under Brigadier-General Green Clay, had descended the Auglaize River in boats, and arrived at Defiance May 3, where they learned that Fort Meigs was invested. So neglectful of his advantages was Proctor that he not only failed to prevent General Clay from advancing, but failed to prevent communication between the besieged fort and the relief column, so that Harrison was able to arrange a general attack on the investing lines, and came near driving the British force back to Malden with the loss of all its artillery and baggage. Had Clay's whole force been on the ground, and had it been vigorously pushed forward, the small British division which held the north bank must have abandoned all its positions; but Dudley's men were under no discipline, and though ready to advance were in no hurry to retreat, even when ordered. Three companies of the British Forty-First and some of the Canadian militia soon gathered together; and although these could hardly have been half the number of Dudley's force, yet with Tecumthe and a body of Indians they attacked the batteries, drove the Kentuckians out, dispersed them, and either captured or massacred the whole body, under the eyes of Harrison and Fort Meigs.

If the numbers loosely reported in the American accounts were correct, the siege cost Harrison one thousand men, or fully half his entire force, including his reinforcements. After the fighting of May 5, he withdrew once more into the fort; the British batteries reopened fire, and the siege went on. No further attempt was made to trouble the enemy in open field. Harrison felt himself too weak for further ventures; yet never had his chance of a great success been so fair.

Proctor's siege of Fort Meigs was already a failure. Not only had the fort proved stronger than he expected, but the weather was bad; his troops were without shelter; dysentery and loss in battle rapidly weakened them; half his militia went home, and, what was fatal to further action, his Indians could not be held together. Within three days after the battle of May 5, the twelve hundred Indians collected by Tecumthe's influence and exertions in the Northwest Territory dispersed, leaving only Tecumthe himself and a score of other warriors in the British camp. Proctor had no choice but to retire as rapidly as possible, and May 9

embarked his artillery and left his encampment without interference from Harrison, who looked on as a spectator while the movement was effected.

The fleet, not the army, was to bear the brunt of reconquering the Northwest; and in nothing did Armstrong show his ability so clearly as in the promptness with which, immediately after taking office, he stopped Harrison's campaign on the Maumee, while Perry was set to work at Erie. February 5, 1813, Armstrong entered on his duties. March 5, his arrangements for the new movements were already made. Harrison did not approve them, but he obeyed. The Navy Department had already begun operations on Lake Erie, immediately after Hull's surrender; but though something was accomplished in the winter, great difficulties had still to be overcome when, February 17, Commander Perry, an energetic young officer on gunboat service at Newport, received orders from Secretary Jones to report to Commodore Chauncey on Lake Ontario. Chauncey ordered him to Presqu'isle, afterward called Erie, to take charge of the vessels under construction on Lake Erie.

When Perry reached Presqu'isle, the contractors and carpenters had on the stocks two brigs, a schooner, and three gunboats. These were to be launched in May, and to be ready for service in June. Besides these vessels building at Erie, a number of other craft, including the prize brig *Caledonia*, were at the Black Rock Navy Yard in the Niagara River, unable to move on account of the British fort opposite Buffalo and the British fleet on the Lake. Perry's task was to unite the two squadrons, to man them, and to fight the British fleet, without allowing his enemy to interfere at any stage of these difficult operations.

From June 19 to August 1, Perry's combined fleet lay within the bar at Presqu'isle, while Proctor, with a sufficient fleet and a military force superior to anything on the Lake, was planning expeditions from Malden against every place except the one to which military necessity and the orders of his Government bade him go. August 4, Perry took out the armaments of his two brigs and floated both over the bar into deep water. Had the British fleet been at hand, such a movement would have been impossible or fatal; but the British fleet appeared just as Perry's vessels got into deep water, and when for the first time an attack could not be made with a fair hope of success.

These extraordinary advantages were not gained without labor, energy, courage, and wearing anxieties and disappointments. Of these Perry

had his full share, but no more; and his opponents were no better off than himself. By great exertions alone could the British maintain themselves on Lake Ontario, and to this necessity they were forced to sacrifice Lake Erie. Sir George Prevost could spare only a new commander with a few officers and some forty men from the lower Lake to meet the large American reinforcements on the upper. When the commander, R. H. Barclay, arrived at Malden in June, he found as many difficulties there as Perry found at Presqu'isle. Barclay was a captain in the British Royal Navy, thirty-two years old; he had lost an arm in the service, but he was fairly matched as Perry's antagonist, and showed the qualities of an excellent officer.

Perry's squadron, once on the Lake, altogether overawed the British fleet, and Barclay's only hope lay in completing a vessel called the *Detroit*, then on the stocks at Amherstburg. Rough and unfinished, she was launched, and while Perry blockaded the harbor, Barclay, early in September, got masts and rigging into her and armed her with guns of every caliber, taken from the ramparts.

Barclay was forced to make up a crew of soldiers from the hard-worked Forty-First Regiment and Canadians unused to service. September 6, the *Detroit* was ready to sail, and Barclay had then no choice but to fight at any risk. 'So perfectly destitute of provisions was the port that there was not a day's flour in store, and the crews of the squadron under my command were on half allowance of many things; and when that was done, there was no more.'

Early on the morning of September 9, Barclay's fleet weighed and sailed for the enemy, who was then at anchor off the island of Put-in-Bay, near the mouth of Sandusky River. The British squadron consisted of six vessels — the *Detroit*, a ship of four hundred and ninety tons, carrying nineteen guns, commanded by Barclay himself; the *Queen Charlotte* of seventeen guns, commanded by Finnis; the *Lady Prevost* of thirteen guns; the *Hunter* of ten; the *Little Belt* carrying three, and the *Chippeway* carrying one gun — in all, sixty-three guns, and probably about four hundred and fifty men. The American squadron consisted of nine vessels — the *Lawrence*, Perry's own brig, nearly as long as the *Detroit*, and carrying twenty guns; the *Niagara*, commander Jesse D. Elliott, of the same tonnage, with the same armament; the *Caledonia*, a three-gun brig; the schooners *Ariel*, *Scorpion*, *Somers*, *Porcupine*, and *Tigress*, carrying ten

guns; and the sloop *Trippé*, with one gun — in all, fifty-four guns, with a nominal crew of five hundred and thirty-two men, and an effective crew probably not greatly differing from the British. In other respects Perry's superiority was decided, as it was meant to be. The Americans had thirty-nine thirty-two-pound carronades; the British had not a gun of that weight, and only fifteen twenty-four-pound carronades. The lightest guns on the American fleet were eight long twelve-pounders, while twenty-four of the British guns threw only nine-pound shot, or less. The American broadside threw at close range about nine hundred pounds of metal; the British threw about four hundred and sixty. At long range the Americans threw two hundred and eighty-eight pounds of metal; the British threw one hundred and ninety-five pounds. In tonnage the Americans were superior as eight to seven. In short, the Navy Department had done everything reasonably necessary to insure success; and if the American crews, like the British, were partly made up of landsmen, soldiers or volunteers, the reason was in each case the same. Both Governments supplied all the seamen they had.

Furious as the battle was, a more furious dispute raged over it when in the year 1834 the friends of Perry and of Elliott wrangled over the action. With their dispute history need not concern itself. The official reports left no reasonable doubt that Perry's plan of battle was correct; that want of wind was not the reason it failed; but that the *Niagara* was badly managed by Elliott, and that the victory, when actually forfeited by this mismanagement, was saved by the personal energy of Perry, who, abandoning his own ship, brought the *Niagara* through the enemy's line and regained the advantage of her heavy battery. The luck which attended Perry's career on the Lake saved him from injury when every other officer on the two opposing flagships and four-fifths of his crew were killed or wounded, and enabled him to perform a feat almost without parallel in naval warfare, giving him a well-won immortality by means of the disaster unnecessarily incurred. No process of argument or ingenuity of seamanship could deprive Perry of the fame justly given him by the public or detract from the splendor of his reputation as the hero of the war. More than any other battle of the time, the victory on Lake Erie was won by the courage and obstinacy of a single man.

General Harrison, waiting at Seneca on the Sandusky River, received,

September 12, Perry's famous dispatch of September 10: 'We have met the enemy, and they are ours.' The navy having done its work, the army was next to act.

The force under Harrison's command was ample for the required purpose, although it contained fewer regular troops than Armstrong had intended. The seven regular regiments assigned to Harrison fell short in numbers of the most moderate expectations. Instead of providing seven thousand rank-and-file, the recruiting service ended in producing rather more than twenty-five hundred.

To supply his main force, Harrison had still to depend on Kentucky; and once more that State made a great effort. Governor Shelby took the field in person, leading three thousand volunteers. Besides the militia, who volunteered for this special purpose, Harrison obtained the services of another Kentucky corps, which had already proved its efficiency.

One of Armstrong's happiest acts, at the beginning of his service as War Secretary, was to accept the aid of Richard M. Johnson in organizing for frontier defense a mounted regiment of a thousand men, armed with muskets or rifles, tomahawks, and knives. Johnson and his regiment took the field about June 1, and from that time anxiety on account of Indians ceased. The regiment patrolled the district from Fort Wayne to the river Raisin, and whether in marching or fighting proved to be the most efficient corps in the Western country. Harrison obtained the assistance of Johnson's regiment for the movement into Canada.

While the mounted regiment moved by the road to Detroit, Harrison's main force was embarked in boats September 20, and in the course of a few days some forty-five hundred infantry were safely conveyed by way of Bass Island and Put-in-Bay to Middle Sister Island, about twelve miles from the Canadian shore. The whole force was successfully set ashore, September 27, about three miles below Malden.

Although Proctor could not hope to maintain himself at Malden or Detroit without control of the Lake, he had still the means of rendering Harrison's possession insecure. According to the British account, he commanded at Detroit and Malden a force of nine hundred and eighty-six regulars, giving about eight hundred effectives. Not less than thirty-five hundred Indian warriors had flocked to Amherstburg, and although they greatly increased the British general's difficulties by bringing their families with them, they might be formidable opponents to Harrison's

advance. Every motive dictated to Proctor the necessity of resisting Harrison's approach. To Tecumthe and his Indians the evacuation of Malden and Detroit without a struggle meant not only the sacrifice of their cause, but also cowardice; and when Proctor announced to them, September 18, that he meant to retreat, Tecumthe rose in the council and protested against the flight, likening Proctor to a fat dog that had carried its tail erect, and now that it was frightened dropped its tail between its legs and ran. He told Proctor to go if he liked, but the Indians would remain.

Proctor insisted upon retiring at least toward the Moravian town, seventy miles on the road to Lake Ontario, and the Indians yielded. This crowning proof of Proctor's incapacity disorganized his force. Tecumthe expressed a general sentiment of the British army in his public denunciation of Proctor's cowardice. One of the inferior British officers afterward declared that Proctor's 'marked inefficiency' and 'wanton sacrifice' of the troops raised more than a doubt, not only of his capacity, but even of his personal courage.

Proctor seemed to imagine that the Americans would not venture to pursue him. Moving, according to his own report, 'by easy marches,' neither obstructing the road in his rear nor leaving detachments to delay the enemy, he reached Dolson's October 1, and there halted his army, fifty miles from Sandwich, while he went to the Moravian town some twenty-six miles beyond. He then intended to make a stand at Chatham, three miles behind Dolson's.

The British army, left at Dolson's October 1, without a general or orders, saw the American army arrive in its front, October 3, and retired three miles to Chatham, where the Indians insisted upon fighting; but when, the next morning, October 4, the Americans advanced in order of battle, the Indians after a skirmish changed their minds and retreated. The British were compelled to sacrifice the supplies they had brought by water to Chatham for establishing their new base, and their retreat precipitated on the Moravian town the confusion of flight already resembling rout.

Six miles on their way they met General Proctor returning from the Moravian town, and as much dissatisfied with them as they with him. Pressed closely by the American advance, the British troops made what haste they could over excessively bad roads.

The whole British force was then on the north bank of the river Thames, retreating eastward by a road near the river bank. The Forty-First Regiment was almost mutinous, but had it been in the best condition it could not have held against serious attack. The only efficient corps in the field was the Indians, who were estimated by the British sometimes at five hundred, at eight hundred, and twelve hundred in number, and who were in some degree covered by the swamp.

Harrison came upon the British line soon after two o'clock in the afternoon, and at once formed his army in regular order of battle. As the order was disregarded, and the battle was fought, as he reported, in a manner 'not sanctioned by anything that I had seen or heard of,' the intended arrangement mattered little. In truth, the battle was planned as well as fought by Richard M. Johnson, whose energy impressed on the army a new character from the moment he joined it.

At an early moment of the battle, Johnson was wounded by the rifle of an Indian warrior who sprang forward to dispatch him, but was killed by a ball from Johnson's pistol. The fighting at that point was severe, but Johnson's men broke or turned the Indian line, and driving the Indians toward the American left, brought them under fire of Shelby's infantry, when they fled.

The British loss was only twelve men killed and thirty-six wounded. The total number of British prisoners taken on the field and in the Moravian town, or elsewhere on the day of battle, was four hundred and seventy-seven; in the whole campaign, six hundred. All Proctor's baggage, artillery, small arms, stores, and hospital were captured in the Moravian town. The Indians left thirty-three dead on the field, among them one reported to be Tecumthe. After the battle several officers of the British Forty-First, well acquainted with the Shawnee warrior, visited the spot, and identified his body. The Kentuckians had first recognized it, and had cut long strips of skin from the thighs, to keep, as was said, for razor-straps, in memory of the river Raisin.

After Perry's victory on Lake Erie, Tecumthe's life was of no value to himself or his people, and his death was no subject for regret; but the manner chosen for producing this result was an expensive mode of acquiring territory for the United States. The Shawnee warrior compelled the Government to pay for once something like the value of the lands it took. The precise cost of the Indian war could not be estimated, being com-

bined in many ways with that of the war with England; but the British counted for little, within the Northwestern Territory, except so far as Tecumthe used them for his purposes. Not more than seven or eight hundred British soldiers ever crossed the Detroit River; but the United States raised fully twenty thousand men and spent at least five million dollars and many lives in expelling them. The Indians alone made this outlay necessary. The campaign of Tippecanoe, the surrender of Detroit and Mackinaw, the massacres at Fort Dearborn, the river Raisin, and Fort Meigs, the murders along the frontier, and the campaign of 1813 were the price paid for the Indian lands in the Wabash Valley.

The battle of the Thames annihilated the right division of the British army in Upper Canada. When the remnants of Proctor's force were mustered, October 17, at Ancaster, a hundred miles from the battlefield, about two hundred rank-and-file were assembled. Proctor made a report of the battle blaming his troops, and Prevost issued a severe reprimand to the unfortunate Forty-First Regiment on the strength of Proctor's representations. In the end the Prince Regent disgraced both officers, recognizing by these public acts the loss of credit the Government had suffered.

The new Secretaries of War and Navy who took office in January, 1813, were able in the following October to show Detroit recovered. Nine months solved the problem of Lake Erie. The problem of Lake Ontario remained insoluble.

In theory nothing was simpler than the conquest of Upper Canada. The river St. Lawrence was the true object of attack, and the Canadians hardly dared hope to defend it.

From St. Regis to opposite Kingston [said the Quebec *Gazette* in 1814] the southern bank of the river belongs to the United States. It is well known that this river is the only communication between Upper and Lower Canada. . . . It is needless to say that no British force can remain in safety or maintain itself in Upper Canada without a ready communication with the lower province.

Closure of the river anywhere must compel the submission of the whole country above, which could not provide its supplies. The American, who saw his own difficulties of transport between New York and the Lakes, thought well of his energy in surmounting them; but as the war

took larger proportions and great fleets were built on Lake Ontario, the difficulties of Canadian transport became insuperable.

The St. Lawrence was, therefore, the proper point of approach and attack against Upper Canada. Armstrong came to the Department of War with that idea fixed in his mind. The next subject for his consideration was the means at his disposal.

Before he had been a week in the War Department, he wrote, February 10, to Major-General Dearborn announcing that four thousand men were to be immediately collected at Sackett's Harbor and three thousand at Buffalo. April 1, or as soon as navigation opened, the four thousand troops at Sackett's Harbor were to be embarked and transported in boats under convoy of the fleet across the Lake at the mouth of the St. Lawrence, thirty-five miles, to Kingston. After capturing Kingston, with its magazines, navy yards, and ships, the expedition was to proceed up the Lake to York (Toronto) and capture two vessels building there. Thence it was to join the corps of three thousand men at Buffalo, and attack the British on the Niagara River.

Dearborn did not approve Armstrong's plan, and wished to change it. In this idea he was supported, or instigated, by the naval commander on the Lake, Isaac Chauncey, a native of Connecticut, forty years of age, who entered the service in 1798 and became captain in 1806.

Dearborn and Chauncey inverted Armstrong's plan. Instead of attacking on the St. Lawrence, they proposed to attack on the Niagara. Armstrong acquiesced. 'Taking for granted,' as he did on Dearborn's assertion, 'that General Prevost . . . has assembled at Kingston a force of six or eight thousand men, as stated by you,' he could not require that his own plan should be pursued.

The scheme proposed by Dearborn and Chauncey was carried into effect by them. The contractors furnished new vessels, which gave to Chauncey for a time the control of the Lake. April 22, the troops, numbering sixteen hundred men, embarked. Armstrong insisted on only one change in the expedition, which betrayed perhaps a shade of malice, for he required Dearborn himself to command it, and Dearborn was suspected of shunning service in the field.

From the moment Dearborn turned away from the St. Lawrence and carried the war westward, the naval and military movements on Lake Ontario became valuable chiefly as a record of failure. The fleet and

army arrived at York early in the morning of April 27. York, a village numbering in 1806, according to British account, more than three thousand inhabitants, was the capital of Upper Canada, and contained the residence of the Lieutenant-Governor and the two brick buildings where the Legislature met. For military purposes the place was valueless, but it had been used for the construction of a few war-vessels, and Chauncey represented, through Dearborn, that 'to take or destroy the armed vessels at York will give us the complete command of the Lake.' The military force at York, according to British account, did not exceed six hundred men, regulars and militia; and of these, one hundred and eighty men, or two companies of the Eighth or King's Regiment, happened to be there only in passing.

Under the fire of the fleet and riflemen, Pike's brigade was set ashore; the British garrison, after a sharp resistance, was driven away, and the town capitulated. The ship on the stocks was burned; the ten-gun brig *Gloucester* was made prize; the stores were destroyed or shipped; some three hundred prisoners were taken; and the public buildings, including the houses of Assembly, were burned. The destruction of the Assembly houses, afterward alleged as ground for retaliation against the Capitol at Washington, was probably the unauthorized act of private soldiers. Dearborn protested that it was done without his knowledge and against his orders.

The success cost far more than it was worth. The explosion of a powder magazine, near which the American advance halted, injured a large number of men on both sides. Not less than three hundred and twenty Americans were killed or wounded in the battle or explosion, or about one-fifth of the entire force. General Pike, the best brigadier then in the service, was killed. Only two or three battles in the entire war were equally bloody.

Chauncey and Dearborn crossed to Niagara, while the troops remained some ten days at York, and were then disembarked at Niagara, May 8, according to Dearborn's report, 'in a very sickly and depressed state; a large proportion of the officers and men were sickly and debilitated.' Nothing was ready for the movement which was to drive the British from Fort George, and before active operations could begin, Dearborn fell ill. The details of command fell to his chief-of-staff, Colonel Winfield Scott.

Winfield Scott in effect assumed control of the army, and undertook to carry out Van Rensselaer's plan of the year before for attacking Fort George in the rear, from the Lake. The task was not very difficult. Chauncey controlled the Lake, and his fleet was at hand to transfer the troops. Dearborn's force numbered certainly not less than four thousand rank-and-file present for duty. The entire British regular force on the Niagara River did not exceed eighteen hundred rank-and-file, and about five hundred militia.

Early on the morning of May 27, when the mist cleared away, the British General Vincent saw Chauncey's fleet, 'in an extended line of more than two miles,' standing toward the shore. When the ships took position, 'the fire from the shipping so completely enfiladed and scoured the plains, that it became impossible to approach the beach,' and Vincent could only concentrate his force between the fort and the enemy, waiting attack. Winfield Scott at the head of an advance division first landed, followed by the brigades of Boyd, Winder, and Chandler, and after a sharp skirmish drove the British back along the Lake shore, advancing under cover of the fleet.

On Lake Ontario, May 31, Chauncey insisted, not without cause, on returning to Sackett's Harbor. Dearborn, instead of moving with his whole force, ordered Brigadier-General Winder, June 1, to pursue Vincent. Winder, with eight hundred or a thousand men, marched twenty miles, and then sent for reinforcements. He was joined, June 5, by General Chandler with another brigade. Chandler then took command, and advanced, with a force supposed to number in the aggregate two thousand men, to Stony Creek, within ten miles of Vincent's position at Hamilton, where sixteen hundred British regulars were encamped. There Chandler and Winder posted themselves for the night, much as Winchester and his Kentuckians had camped at the river Raisin four months earlier.

Vincent was not to be treated with such freedom. Taking only seven hundred rank-and-file, he led them himself against Chandler's camp. The attack began, in intense darkness, at two o'clock in the morning of June 6. The British quickly broke the American center and carried the guns. In the darkness both American generals, Chandler and Winder, walked into the British force in the center, and were captured. With difficulty the two armies succeeded in recovering their order, and then retired in opposite directions. The British suffered severely, reporting

twenty-three killed, one hundred and thirty-four wounded, and fifty-five missing, or two hundred and twelve men in all; but they safely regained Burlington Heights at dawn. The American loss was less in casualties, for it amounted only to fifty-five killed and wounded, and one hundred missing; but in results the battle at Stony Creek was equally disgraceful and decisive. The whole American force, leaving the dead unburied, fell back ten miles, where Major-General Lewis took command in the afternoon of June 7. An hour later the British fleet under Sir James Yeo made its appearance, threatening to cut off Lewis's retreat. Indians hovered about. Boats and baggage were lost. Dearborn sent pressing orders to Lewis directing him to return, and on the morning of June 8 the division reached Fort George.

These mortifications prostrated Dearborn, whose strength had been steadily failing. The two commanders, Dearborn and Chauncey, had set aside the Secretary's plan of campaign, and had substituted one of their own, on the express ground of their superior information. While affirming that the garrison at Kingston had been reinforced to a strength three or four times as great as was humanly possible, they had asserted that the capture of York would answer their purpose as well as the capture of Kingston, to 'give us the complete command of the Lake.' They captured York, April 27, but the British fleet appeared June 6, and took from them the command of the Lake. These miscalculations or misstatements, and the disasters resulting from them, warranted the removal of Chauncey as well as Dearborn from command; but the brunt of dissatisfaction fell on Dearborn alone. Both Cabinet and Congress agreed in insisting on Dearborn's retirement, and the President was obliged to consent. July 6, Secretary Armstrong wrote:

I have the President's orders to express to you the decision that you retire from the command of District No. 9, and of the troops within the same, until your health be re-established and until further orders.

## CHAPTER EIGHTY-FIVE

*Wilkinson's Campaign*

ARMSTRONG'S EMBARRASSMENT was great in getting rid of the generals whom Madison and Eustis left on his hands. Dearborn was one example of what he was obliged to endure, but Wilkinson was a worse. According to Armstrong's account, New Orleans was not believed to be safe in Wilkinson's keeping. The Senators from Louisiana, Tennessee, and Kentucky remonstrated to the President, and the President ordered his removal. Armstrong and Wilkinson had been companions in arms, and had served with Gates at Saratoga. For many reasons Armstrong wished not unnecessarily to mortify Wilkinson, and in conveying to him, March 10, the abrupt order to proceed with the least possible delay to the headquarters of Major-General Dearborn at Sackett's Harbor, the Secretary of War added, March 12, a friendly letter of advice:

Why should you remain in your land of cypress when patriotism and ambition equally invite to one where grows the laurel? Again, the men of the North and East want you; those of the South and West are less sensible of your merits and less anxious to have you among them. I speak to you with a frankness due to you and to myself, and again advise, Come to the North, and come quickly! If our cards be well played, we may renew the scene of Saratoga.

Wilkinson at New Orleans received Armstrong's letter of March 10 only May 19, and started, June 10, for Washington, where he arrived July 31, having consumed the greater part of the summer in the journey. On arriving at Washington, he found that Dearborn had been removed, and that he was himself by seniority in command of the Ninth Military District. This result of Dearborn's removal was incalculably mischievous, for if its effect on Wilkinson's vanity was unfortunate, its influence on the army was fatal. Almost every respectable officer of the old service regarded Wilkinson with antipathy or contempt.

Armstrong's ill-fortune obliged him also to place in the position of next importance Wilkinson's pronounced enemy, Wade Hampton. A major-general was required to take command on Lake Champlain, and but one officer of that rank claimed employment or could be employed; and Wade Hampton was accordingly ordered to Plattsburg. Of all the major-generals Hampton was probably the best; but his faults were serious.

Proud and sensitive even for a South Carolinian; irritable, often harsh, sometimes unjust, but the soul of honor, Hampton was rendered wholly intractable wherever Wilkinson was concerned, by the long-standing feud which had made the two generals for years the heads of hostile sections in the army.

Wilkinson left Washington August 11, and no sooner did he reach Albany than he hastened to write two letters to General Hampton, assuming that every movement of that general was directly dependent on Wilkinson's orders. Considering the relations between the two men, these letters warranted the inference that Wilkinson intended to drive Hampton out of his military district, and if possible from the service. Hampton instantly leaped to that conclusion, and wrote to Armstrong, August 23, offering his resignation in case Wilkinson's course was authorized by Government.

Armstrong pacified Hampton by promising that all his orders and reports should pass through the Department. Hampton promised to serve cordially and vigorously through the campaign, but he believed himself intended for a sacrifice, and declared his intention of resigning as soon as the campaign was ended. Wilkinson, after having at Albany provoked this outburst, started for Sackett's Harbor, where he arrived August 20.

At Sackett's Harbor Wilkinson found several general officers. Morgan Lewis was there in command, Commodore Chauncey was there with his fleet. Jacob Brown was also present by virtue of his recent appointment as brigadier-general. The quartermaster-general, Robert Swartwout, a brother of Burr's friend who went to New Orleans, was posted there. Wilkinson summoned these officers to a council of war August 26, which deliberated on the different plans of campaign proposed to it, and unanimously decided in favor of one called by Armstrong 'No. 3 of the plans proposed by the Government.' As defined in Wilkinson's language the scheme was:

To rendezvous the whole of the troops on the Lake in this vicinity, and in co-operation with our squadron to make a bold feint upon Kingston, slip down the St. Lawrence, lock up the enemy in our rear to starve or surrender, or oblige him to follow us without artillery, baggage, or provisions, or eventually to lay down his arms; to sweep the St. Lawrence of armed craft, and in concert with the division under Major-General Hampton to take Montreal.

Orders were given, August 25, for providing river transport for seven thousand men, forty field-pieces, and twenty heavy guns, to be in readiness by September 15.

Secretary Armstrong also came to Sackett's Harbor, September 5, and established the War Department at that remote point for nearly two months. When Wilkinson arrived, October 2, Armstrong's difficulties began. Wilkinson, then fifty-six years old, was broken by the Lake fever. 'He was so much indisposed in mind and body,' according to Brigadier-General Boyd, 'that in any other service he would have perhaps been superseded in his command.' According to Wilkinson's story, he told Secretary Armstrong that he was incapable of commanding the army and offered to retire from it; but the Secretary said there was no one to take his place, and he could not be spared. In private Armstrong was believed to express himself more bluntly, and Wilkinson was told that the Secretary said: 'I would feed the old man with pap sooner than leave him behind.'

All the available troops on or near Lake Ontario were concentrated at Sackett's Harbor about the middle of October, and did not exceed seven thousand effectives, or eight thousand men.

The men were embarked in bateaux, October 17, at Henderson's Bay, to the westward of Sackett's Harbor. The weather had been excessively stormy, and continued so. The first resting-point to be reached was Grenadier Island at the entrance of the St. Lawrence, only sixteen or eighteen miles from the starting-point; but the bateaux were dispersed by heavy gales of wind, October 18, 19, and 20, and the last detachments did not reach Grenadier Island until November 3. 'All our hopes have been nearly blasted,' wrote Wilkinson October 24; but at length, November 5, the expedition, numbering nearly three hundred boats, having safely entered the river, began the descent from French Creek. That day they moved forty miles, and halted about midnight six miles above Ogdensburg. The next day was consumed in running the flotilla past Ogdensburg under the fire of the British guns at Prescott. The boats floated down by night and the troops marched by land. November 7 the army halted at the White House, about twenty miles below Ogdensburg. There Wilkinson called a council of war, November 8, to consider whether the expedition should proceed. Lewis, Boyd, Brown, and Swartwout voted simply in favor of attacking Montreal. Covington and Porter were of

the opinion 'that we proceed from this place under great danger, . . . but . . . we know of no other alternative.'

More than any other cause, Armstrong's conduct warranted Wilkinson in considering the campaign at an end. If the attack on Montreal was seriously intended, every motive required Armstrong to join Hampton at once in advance of Wilkinson's expedition. No one knew so well as he the necessity of some authority to interpose between the tempers and pretensions of these two men in case a joint campaign were to be attempted, or to enforce co-operation on either side. Good faith toward Hampton, even more than toward Wilkinson, required that the Secretary who had led them into such a situation should not desert them. Yet Armstrong, after waiting till Wilkinson was fairly at Grenadier Island, began to prepare for return to Washington.

The flotilla stopped on the night of November 10 near a farm called Chrystler's on the British bank; and the next morning, November 11, at half-past ten o'clock, Brown having announced that all was clear below, Wilkinson was about to order the flotilla to run the rapids when General Boyd sent word that the enemy in the rear were advancing in column. Wilkinson was on his boat, unable to leave his bed; Morgan Lewis was in no better condition; and Boyd was left to fight a battle as he best could.

The opportunity to capture or destroy Mulcaster and his eight hundred men was brilliant, and warranted Wilkinson in turning back his whole force to accomplish it. Boyd actually employed three brigades, and made an obstinate but not united or well-supported attempt to crush the enemy. Colonel Ripley with the Twenty-First Regiment drove in the British skirmishers, and at half-past two o'clock the battle became general. At half-past four, after a stubborn engagement, General Covington was killed; his brigade gave way, and the whole American line fell back, beaten and almost routed.

This defeat was the least creditable of the disasters suffered by American arms during the war. No excuse or palliation was ever offered for it. The American army consisted wholly of regulars, and all the generals belonged to the regular service. The American force was certainly not less than two thousand, with six field-pieces.

The British force officially reported by Lieutenant-Colonel Morrison of the Eighty-Ninth Regiment, who was in command, consisted of eight hundred rank-and-file, and thirty Indians. The rank-and-file consisted

of three hundred and forty-two men of the Forty-Ninth Regiment, about as many more of the Eighty-Ninth, and some Canadian troops. They had three six-pound field-pieces, and were supported on their right flank by gunboats.

If three brigades, numbering two thousand men, were beaten at Chrystler's farm by eight hundred British and Canadians, the chance that Wilkinson could capture Montreal, even with ten thousand men, was small. Early the next morning, November 12, the flotilla ran the rapids and rejoined Brown and Macomb near Cornwall, where Wilkinson learned that General Hampton had taken the responsibility of putting an end to an undertaking which had not yet entered upon its serious difficulties.

Four months had passed since Hampton took command on Lake Champlain. When he first reached Burlington, July 3, neither men nor material were ready, nor was even a naval force present to cover his weakness. While he was camped at Burlington, a British fleet, with about a thousand regulars, entered the Lake from the Isle aux Nois and the Richelieu River, and plundered the American magazines at Plattsburg, July 31, sweeping the Lake clear of American shipping. Six weeks afterward, in the middle of September, Hampton had but about four thousand men, in bad condition and poor discipline.

October 16, Armstrong ordered Hampton, in view of Wilkinson's probable descent of the river, to 'approach the mouth of the Chateaugay, or other point which shall better favor our junction, and hold the enemy in check.' Hampton instantly obeyed, and moved down the Chateaugay to a point about fifteen miles from its mouth. He held a position equally well adapted to threaten Montreal, to disturb British communication with Upper Canada, and to succor Wilkinson.

That Hampton, with only four thousand men, should do more than this could not fairly be required. The defenses of Montreal were such as required ten times his force to overcome. The most moderate estimate of the British force about Montreal gave at least fifteen thousand rank-and-file under arms. Besides this large array of men, Prevost was amply protected by natural defenses. If Hampton had reached the St. Lawrence at Caughnawaga, he would still have been obliged to cross the St. Lawrence, more than two miles wide, under the fire of British batteries and

gunboats. Hampton had no transports. Prevost had bateaux and vessels of every description, armed and unarmed, above and below the rapids, besides two river steamers constantly plying to Quebec.

In a letter which Hampton sent to Armstrong by Colonel King, assuming that the campaign was at an end, he carried out his declared purpose of resigning. ‘Events,’ he said, ‘have had no tendency to change my opinion of the destiny intended for me, nor my determination to retire from a service where I can neither feel security nor expect honor. The campaign I consider substantially at an end.’

A week afterward, November 8, Hampton received a letter from Wilkinson, written from Ogdensburg, asking him to forward supplies and march his troops to some point of junction on the river below St. Regis. Hampton replied from Chateaugay that he had no supplies to forward; and as, under such circumstances, his army could not throw itself on Wilkinson’s scanty means, he should fall back on Plattsburg. Wilkinson received the letter on his arrival at Cornwall, November 12, the day after his defeat at Chrystler’s farm; and with extraordinary energy moved the whole expedition the next day to French Mills, six or seven miles up the Salmon River, within the United States lines, where it went into winter quarters.

When Wilkinson and Hampton withdrew from Canada, while the American army forgot its enemy in the bitterness of its own personal feuds, the British generals naturally thought of recovering their lost posts on the Niagara River. McClure, who occupied Fort George and the small town of Newark under its guns, saw his garrison constantly diminishing. Volunteers refused to serve longer on any conditions. The War Department ordered no reinforcements, although ten or twelve thousand soldiers were lying idle at French Mills and Plattsburg.

On the night of December 18, Colonel Murray, with five hundred and fifty regular rank-and-file, crossed the river from Fort George unperceived; surprised the sentinels on the glacis and at the gates of Fort Niagara; rushed through the main gate; and, with a loss of eight men killed and wounded, captured the fortress with some three hundred and fifty prisoners.

On the night of December 29, Lieutenant-General Drummond sent a force of fifteen hundred men including Indians across the river above the falls, and driving away the militia, burned Black Rock and Buffalo with all their public stores and three small war-schooners.

The Americans bore Drummond's excessive severity with less complaint than usual. They partly suspected that the destruction effected on the Thames, at York and at Newark, by American troops, though unauthorized by orders, had warranted some retaliation; but they felt more strongly that their anger should properly be vented on their own Government and themselves, who had allowed a handful of British troops to capture a strong fortress and to ravage thirty miles of frontier, after repeated warning, without losing two hundred men on either side, while thousands of regular troops were idle elsewhere, and the neighborhood ought without an effort to have supplied five thousand militia.

Fort Niagara, which thus fell into British hands, remained, like Mackinaw, in the enemy's possession until the peace.

## CHAPTER EIGHTY-SIX

### *Mobile and Fort Mims*

MILITARY MOVEMENTS in the Southern Department attracted little notice, but were not the less important. The Southern people entered into the war in the hope of obtaining the Floridas. President Madison, like President Jefferson, gave all the support in his power to the scheme. Throughout the year 1812 United States troops still occupied Amelia Island and the St. Mary's River, notwithstanding the refusal of Congress to authorize the occupation.

October 12, 1812, Secretary Eustis wrote to the Governor of Tennessee calling out fifteen hundred militia for the defense of the 'lower country.' The force was not intended for defense but for conquest; it was to support the seizure of Mobile, Pensacola, and St. Augustine by the regular troops. For that object every man in Tennessee was ready to serve; and of all Tennesseans, Andrew Jackson was the most ardent. Governor Blount immediately authorized Jackson, as Major-General of the State militia, to call out two thousand volunteers.

Neither Madison nor Monroe raised objection to the seizure of territory belonging to a friendly Power; but Congress showed no such readiness to act. Senator Anderson of Tennessee, as early as December 10, 1812, moved, in secret session of the Senate, that a committee be appointed to consider the expediency of authorizing the President 'to occupy and hold the whole or any part of East Florida, including Amelia Island, and also those parts of West Florida which are not now in the possession and under the jurisdiction of the United States.' After much debate the Senate adopted the resolution by eighteen votes to twelve, and the committee reported a bill, January 19, authorizing the President to occupy both Floridas.

The bill met opposition from the President's personal enemies, Giles, Leib, and Samuel Smith, as well as from the Federalists and some of the Northern Democrats. January 26, Samuel Smith moved to strike out the second section, which authorized the seizures of Florida east of the Perdido; and the Senate, February 2, by a vote of nineteen to sixteen, adopted Smith's motion. Had Leib not changed sides the next day, the

whole bill would have been indefinitely postponed; but the majority rallied, February 5, and by a vote of twenty-one to eleven authorized the President to seize Florida west of the Perdido, or, in other words, to occupy Mobile. The House passed the bill in secret session February 9, and the President signed it February 12.

After the Senate had refused to support Madison's occupation of East Florida, he could hardly maintain longer the illegal possession he had held during the past year of Amelia Island. February 15, Armstrong wrote to Major-General Pinckney, 'The late private proceedings of Congress have resulted in a decision not to invade East Florida at present'; but not until March 7 did the Secretary order Pinckney to withdraw the troops from Amelia Island and Spanish territory.

No sooner did the Act of February 12 become law than Armstrong wrote, February 16, to Wilkinson at New Orleans, enclosing a copy of the Act, and ordering him immediately to take possession of Mobile and the country as far as the Perdido. When the Government's orders were agreeable to Wilkinson, they reached him promptly and were executed with rapidity. Within three weeks he collected at Pass Christian a force of about six hundred men, supported by gunboats, and entered the Bay of Mobile on the night of April 10, while at the same time the garrison at Fort Stoddert descended the Tensaw River and cut the communication by land between Mobile and Pensacola. At that time Mobile Point was undefended. The only Spanish fortress was Fort Charlotte at Mobile, garrisoned by one hundred and fifty combatants. Wilkinson summoned the fort to surrender, and the commandant had no choice but to obey, for the place was untenable and without supplies. The surrender took place April 15.

This conquest, the only permanent gain of territory made during the war, being effected without bloodshed, attracted less attention than it deserved. Wilkinson was greatly pleased by his own success, and wished to remain at New Orleans; but Armstrong had written as early as March 10, ordering him to the Lakes.

Wilkinson's departure and the evacuation of Amelia Island by General Pinckney closed the first chapter of the war in the South. Armstrong wrote to Wilkinson, May 27: 'The mission to Petersburg and the instructions to our envoys will put a barrier between you and Pensacola for some time to come at least, and permanently in case of peace.' The

sudden stop thus put by the Senate and the Russian mediation to the campaign against Pensacola and St. Augustine deranged the plans of Georgia and Tennessee, arrested the career of Andrew Jackson, and caused the transfer of Wilkinson from New Orleans to the Lakes. The Government expected no other difficulties in the Southern country, and had no reason to fear them. If new perils suddenly arose, they were due less to England, Spain, or the United States than to the chance that gave energy and influence to Tecumthe.

The Southern Indians were more docile and less warlike than the Indians of the Lakes. The Chickasaws and Choctaws, who occupied the whole extent of country on the east bank of the Mississippi River from the Ohio to the Gulf, gave little trouble or anxiety; and even the great confederacy of Muskogees, or Creeks, who occupied the territory afterward called the State of Alabama and part of Georgia, fell in some degree into a mode of life which seemed likely to make them tillers of the soil.

The United States Government, following a different policy in 1799 from that of Jefferson toward the Northwestern Indians, induced the Creeks to adopt a national organization for police purposes; it also helped them to introduce plows, to learn cotton-spinning, and to raise crops.

Had the Indian problem been left to the people of Georgia and Tennessee, the Indians would soon have disappeared; but the National Government established under President Washington in 1789 put a sharp curb on Georgia, and interposed decisively between the Georgians and the Creeks. President Washington in 1796 appointed Benjamin Hawkins of North Carolina as Indian agent among the Creeks, and Hawkins protected and governed them with devotion; but the result of his friendliness was the same as that of others' greed. The Indians slowly lost ground.

Hawkins believed the chiefs to be well disposed. They showed none of the restlessness which characterized the Northwestern Indians, until Tecumthe conceived the idea of bringing them into his general league to check the encroachments of the whites. After Tecumthe's interview with Governor Harrison at Vincennes, in July, 1811, he made a long journey through the Chickasaw and Choctaw country, and arrived among the Creeks in October, bringing with him a score of Indian warriors. The annual council of the Creeks was held in that month at the village of Tuckaubatchee—an ancient town of the Upper Creeks on the Tallapoosa. The rumor that Tecumthe would be present brought

great numbers of Indians, even Cherokees and Choctaws, to the place while Hawkins attended the council in his character as agent.

Tecumthe and his warriors marched into the center of the square and took their places in silence. That night 'they danced the dance of the Indians of the Lakes,' which became thenceforward a political symbol of their party among the Creeks. Some nights afterward Tecumthe addressed the council. Hawkins and the old chiefs would have certainly interfered had Tecumthe incited the Creeks to war or violence; but according to Hawkins the speech was a pacific 'talk,' delivered by Tecumthe in the name of the British. Indian tradition preserved another form of Tecumthe's rhetoric, which seemed to complete the identity with the Vincennes address. Unable to express himself in the Muskogee language Tecumthe used pantomime familiar to Indians. Holding his war-club with outstretched arm, he opened first the little finger, then the next and the next, till the club fell from his hand.

Indian union was unquestionably the chief theme of all Tecumthe's public addresses. Whether in private he taught other doctrines must be matter of surmise; but he certainly brought into the Creek Nation a religious fanaticism of a peculiar and dangerous kind. Prophets soon appeared, chiefly among the Alabamas, a remnant of an ancient race, not of Creek blood, but members of the Creek Confederacy. The prophets with the usual phenomena of hysteria, claimed powers of magic, and promised to bring earthquakes to destroy an invading army. They preached the total destruction of everything, animate and inanimate that pertained to civilization. As the nation generally was badly armed and relied chiefly on their bows, arrows, and war-clubs for battle, the moral support of magic was needed to give them confidence.

So secret was the influence of Tecumthe's friends that no suspicion of the excitement reached Hawkins even when the war with England began and the old chiefs of the nation — known to be devoted to peace and to the white alliance — were kept in ignorance of all that was done among the young warriors. The young men 'sang the song of the Indians of the Lakes, and danced the dance' in secret for eighteen months after Tecumthe's visit, without public alarm, and probably would have continued to do so except for an outbreak committed by some of their nation three hundred miles away.

In 1812 a band of six Indians led by the Little Warrior of Wewocau,

Creek town on the Coosa, was sent by the nation on a public mission to the Chickasaws. Instead of delivering their 'talks' and returning, they continued their journey to the northern Lakes and joined Tecumthe at Malden. They took part in the massacre at the river Raisin, January 22, 1813, and soon afterward began their return, bringing talks from the Shawanese and British and also a letter from some British officer at Malden to the Spanish officials at Pensacola, from whom they hoped to obtain weapons and powder.

The Little Warrior and his party, including a warrior from Tuskegee, a Creek town at the fork of the Coosa and Tallapoosa, after crossing Indiana in the month of February reached the north bank of the Ohio River about seven miles above its mouth, where were two cabins occupied by white families. Unable to resist the temptation to spill blood, the band murdered the two families with the usual Indian horrors. This outrage was committed February 9; and the band, crossing the Ohio, passed southward through the Chickasaw country, avowing the deed and its motive.

The Little Warrior arrived at home about the middle of March, and reported that he brought talks from the Shawanese and British. The old chiefs of the Upper Creeks immediately held a council March 25, and after listening to the talks, reprimanded the Little Warrior and ordered him to leave the Council House. On the same day Hawkins wrote to them from Coweta, demanding delivery of the Little Warrior and his six companions to answer for the murders they had committed. On hearing this demand, the old chiefs at Tuckaubatchee under the lead of the Big Warrior held another council, while the Little Warrior, the Tuskegee warrior, and the murderers took to the woods. The old chiefs in council decided to execute the murderers, and sent out parties to do it.

The Little Warrior was found in the swamp, well armed, but was decoyed out and killed by treachery. The Tuskegee warrior and four others were found in a house on the Hickory Ground at the fork of the rivers. The Tuskegee warrior being wounded, was burned in the house, while his two young brothers were taken out and tomahawked.

Then began a general uprising, and every warrior who had aided in killing the murderers was himself killed or hunted from the Upper Creek country. The chiefs of Tuckaubatchee with difficulty escaped to the agency at Coweta, where they were under the protection of Georgia.

With all this the Spaniards had nothing to do. The outbreak was caused by the Indian war in the Northwest, and immediately by the incompetence of General Winchester and by the massacre at the river Raisin. The Creeks were totally unprepared for war, except so far as they trusted to magic; they had neither guns, powder, nor balls. For that reason they turned to the Spaniards, who could alone supply them. When the Little Warrior was put to death, the British letter which he carried from Malden for the Spanish officials at Pensacola came into the charge of another Creek warrior, Peter McQueen, a half-breed. In July, McQueen with a large party of warriors started for Pensacola, with the letter and four hundred dollars, to get powder.

News that McQueen's party was at Pensacola instantly reached the American settlements above Mobile, where the inhabitants were already taking refuge in stockades. A large number of Americans, without military organization, under several leaders, one of whom was a half-breed named Dixon Bailey, started July 26 to intercept McQueen, and succeeded in surprising the Indians July 27 at a place called Burnt Corn, about eighty miles north of Pensacola. The whites at first routed the Indians, and captured the pack-mules with the ammunition; but the Indians quickly rallied, and in their turn routed the whites, with a loss of two killed and fifteen wounded — although they failed to recover the greater part of the pack-animals.

Angry at the attack and eager to revenge the death of his warriors, McQueen summoned the warriors of thirteen towns, some eight hundred in number, and about August 20 started in search of his enemies. The Creek war differed from that on the Lakes in being partly a war of half-breeds. McQueen's strongest ally was William Weatherford, a half-breed, well known throughout the country as a man of property and ability, as nearly civilized as Indian blood permitted, and equally at home among Indians and whites. McQueen and Weatherford were bitterly hostile to the half-breeds Bailey and Beasley, who were engaged in the affair of Burnt Corn. Both Beasley and Bailey were at a stockade called Fort Mims, some thirty-five miles above Mobile, on the eastern side of the Alabama River, where about five hundred and fifty persons were collected — a motley crowd of whites, half-breeds, Indians, and Negroes, old and young, women and children, protected only by a picket wall, pierced by five hundred loopholes three and a half feet from the ground,

and two rude gates. Beasley commanded, and wrote, August 30, that he could 'maintain the post against any number of Indians.'

At noon, August 30, when the drum beat for dinner, no patrols were out, the gates were open, and sand had drifted against that on the eastern side so that it could not quickly be closed. Suddenly a swarm of Indians raising the war-whoop rushed toward the fort. Beasley had time to reach the gate, but could not close it, and was tomahawked on the spot. The Indians got possession of the loopholes outside and of one enclosure. The whites, under Dixon Bailey, held the inner enclosure and fought with desperation; but at last the Indians succeeded in setting fire to the house in the center, and the fire spread to the whole stockade. The Indians then effected an entrance and massacred most of the inmates. Fifteen persons escaped, and among these was Dixon Bailey, mortally wounded. Most of the Negroes were spared, to be slaves. Two hundred and fifty scalps became trophies of the Creek warriors — a number such as had been seldom taken by Indians from the white people on a single day.

## CHAPTER EIGHTY-SEVEN

*Campaigns Among the Greeks*

THE BATTLE AT BURNT CORN was regarded by the Indians as a declaration of war by the whites. Till then they seemed to consider themselves engaged in a domestic quarrel, or civil war; but after the massacre at Fort Mims they could not retreat, and yet knew that they must perish except for supernatural aid. Their destiny was controlled by that of Tecumthe. Ten days after the massacre at Fort Mims, Perry won his victory on Lake Erie, which settled the result of the Indian wars both in the North and in the South. Tecumthe had expected to capture Fort Meigs, and with it Fort Wayne and the line of the Maumee and Wabash. On the impulse of this success he probably hoped to raise the war-spirit among the Chickasaws and Choctaws, and then in person to call the Creeks into the field. Proctor's successive defeats blasted Indian hopes, and the Creeks had hardly struck their first blow in his support when Tecumthe himself fell, and the Indians of the Lakes submitted or fled to Canada.

At best, the Creek outbreak would have been hopeless. Although the number of hostile Creek warriors was matter of conjecture, nothing showed that they could exceed four thousand. Four thousand warriors who had never seen a serious war even with their Indian neighbors, and armed for the most part with clubs, or bows-and-arrows, were not able to resist long the impact of three or four armies, each nearly equal to their whole force, coming from every quarter of the compass. On the other hand, the military difficulties of conquering the Creeks were not trifling. The same obstacles that stopped Harrison in Ohio stopped Pinckney in Georgia. Pinckney, like Harrison, could set in motion three columns of troops on three converging lines, but he could not feed them or make roads for them. The focus of Indian fanaticism was the Hickory Ground at the fork of the Coosa and Tallapoosa, about one hundred and fifty miles distant from the nearest point that would furnish supplies for an American army coming from Georgia, Tennessee, or Mobile.

The State of Georgia was most interested in the Creek war, and was chiefly to profit by it. Georgia in 1813 had a white population of about

one hundred and twenty-five thousand, and a militia probably numbering thirty thousand. In respect of white population, the State of Tennessee was more than double the size of Georgia; but it possessed a greater advantage in Andrew Jackson, whose extreme energy was equivalent to the addition of an army. When news of the Mims massacre reached Nashville about the middle of September, Jackson was confined to his bed by a pistol-shot, which had broken his arm and nearly cost his life ten days before in a street brawl with Thomas H. Benton. From his bed he issued an order calling back into service his two thousand volunteers of 1812; and as early as October 12, little more than a month after the affair at Fort Mims, he and his army of twenty-five hundred men were already camped on the Tennessee River south of Huntsville in Alabama. There was his necessary base of operations, but one hundred and sixty miles of wilderness lay between him and the Hickory Ground.

On the Tennessee River Jackson's position bore some resemblance to that of Harrison on the Maumee a year before. Energy could not save him from failure. Indeed, the greater his energy, the more serious were his difficulties. He depended on supplies from East Tennessee descending the river; but the river was low, and the supplies could not be moved. He had taken no measures to procure supplies from Nashville. Without food and forage he could not safely advance, or even remain where he was. Under such conditions, twenty-five hundred men with half as many horses could not be kept together. Harrison under the same difficulties held back his main force near its magazines till it disbanded, without approaching within a hundred miles of its object. Jackson sent away his mounted men under General Coffee to forage on the banks of the Black Warrior River, fifty miles to the southwest, where no Creeks were to be feared.

Coffee's mounted men returned October 24. Then, October 25, in the hope of finding food as he went, Jackson plunged into the mountains beyond the river, intending to make a raid, as far as he could, into the Creek country. Except fatigue and famine, he had nothing to fear. The larger Creek towns were a hundred miles to the southward, and were busy with threatened attacks nearer home. After a week's march Jackson reached the upper waters of the Coosa. Within a short distance were two or three small Creek villages. Against one of these Jackson sent his mounted force, numbering nine hundred men, under General Coffee.

Early in the morning of November 3, Coffee surrounded and destroyed Talishatchee. His report represented that the Indians made an obstinate resistance. ‘Not one of the warriors escaped to tell the news — a circumstance unknown heretofore.’

Meanwhile, Jackson fortified a point on the Coosa, about thirty-five miles from his base on the Tennessee, and named it Fort Strother. There he expected to be joined by a division of East Tennessee militia under General Cocke, approaching from Chattanooga, as he hoped, with supplies; but while waiting, he received, November 7, a message from Talladega, a Creek village thirty miles to the southward, reporting that the town, which had refused to join the war-party, was besieged and in danger of capture by a large body of hostile warriors. Jackson instantly started to save Talladega, and marched twenty-four miles November 8, surrounding and attacking the besieging Creeks the next morning.

At Talladega, Jackson was sixty miles from the Hickory Ground, and still nearer to several large Indian towns, but he had already passed the limit of his powers. News arrived that the army of Eastern Tennessee had turned eastward toward the Tallapoosa, and that his expected supplies were as remote as ever. Returning to Fort Strother November 10, Jackson waited there in forced inactivity, as Harrison had waited at Fort Meigs, anxious only to avoid the disgrace of retreat. For two weeks the army had lived on the Indians. A month more passed in idle starvation, until after great efforts a supply train was organized, and difficulties on that account ceased; but at the same moment the army claimed discharge.

The claim was reasonable. Enlisted December 10, 1812, for one year, the men were entitled to their discharge December 10, 1813. Had Jackson been provided with fresh levies he would doubtless have dismissed the old; but in his actual situation their departure would have left him at Fort Strother to pass the winter alone. To prevent this, he insisted that the men had no right to count as service, within the twelve months for which they had enlisted, the months between May and October when they were dismissed to their homes. The men, unanimous in their own view of the contract, started to march home December 10; and Jackson, in a paroxysm of anger, planted two small pieces of artillery in their path and threatened to fire on them. The men, with good-temper, yielded for the moment; and Jackson, quickly recognizing his

helplessness, gave way, and allowed them to depart December 12, with a vehement appeal for volunteers who made no response.

Fort Strother was then held for a short time by East Tennessee militia, about fourteen hundred in number, whose term of service was a few weeks longer than that of the West Tennesseans. Jackson could do nothing with them, and remained idle. The Governor of Tennessee advised him to withdraw to the State frontier; but Jackson, while admitting that his campaign had failed, declared that he would perish before withdrawing from the ground he considered himself to have gained. Fortunately he stood in no danger. The Creeks did not molest him, and he saw no enemy within fifty miles.

Jackson's success in overcoming the obstacles in his path was due to his obstinacy in insisting on maintaining himself at Fort Strother, which obliged Governor Blount to order out four thousand more militia in January for six months. Perhaps this force alone would have been no more effectual in 1814 than in 1813, but another reinforcement was decisive. The Thirty-Ninth Regiment of the regular army, authorized by the Act of January 29, 1813, had been officered and recruited in Tennessee and was still in the State. Major-General Pinckney sent orders, December 23, 1813, to its colonel, John Williams, to join Jackson.

Two lines of advance were open to him in approaching the fork of the Coosa and Tallapoosa, which was always the objective point. He might descend the Coosa or cross to the Tallapoosa by the way he had taken in January. He descended the Coosa thirty miles, and then struck a sudden blow at the Tallapoosa towns.

The Ocfuskee Indians collected their whole force, with that of some neighboring towns, in a bend of the Tallapoosa, where they built a sort of fortress by constructing across the neck of the Horseshoe a breastwork composed of five large logs, one above the other, with two ranges of portholes. The interior was covered with trees and fallen timber along the river side, and caves were dug in the bank. Seven or eight hundred Indian warriors, together with many women and children, were within the enclosure of eighty or a hundred acres.

Jackson, after leaving a garrison at a new fort which he constructed on the Coosa, about halfway to the Horseshoe, had somewhat less than three thousand effectives. With these he camped, on the evening of March 28, about six miles northwest of the bend, and the next morning advanced

to attack it. ‘Determined to exterminate them,’ he reported, he detached Coffee with the mounted force of seven hundred men and six hundred friendly Indians to surround the bend, along the river bank, while Jackson himself with all his infantry took position before the breastwork. At half-past ten o’clock he planted his cannon about two hundred yards from the center of the work, and began a rapid fire of artillery and musketry, which continued for two hours without producing apparent effect. Meanwhile, the Cherokee allies swam the river in the rear of the Creek warriors, who were all at the breast work, and seizing canoes, brought some two hundred Indians and whites into the Horseshoe, where they climbed the high ground in the rear of the breastwork and fired on the Creeks, who were occupied in defending their front.

Jackson then ordered an assault on the breastwork, which was carried, with considerable loss, by the Thirty-Ninth Regiment, in the center. The Creeks sought shelter in the thickets and under the bluffs, where they were hunted or burned out, and killed. ‘The slaughter was greater than all we had done before,’ wrote Coffee; it was continued all day and the next morning. When the Horseshoe had been thoroughly cleared, five hundred and fifty-seven dead bodies were counted within the bend; many were killed in the river, and about twenty were supposed to have escaped.

Jackson’s loss was chiefly confined to the Thirty-Ninth Regiment and the friendly Indians, who were most actively engaged in the storm. The Thirty-Ninth lost twenty killed and fifty-two wounded. Among the severely wounded was Ensign Samuel Houston, struck by an arrow in the thigh. The major and two lieutenants were killed. The Cherokees lost eighteen killed and thirty-five wounded. The friendly Creeks lost five killed and eleven wounded. The Tennessee militia, comprising two-thirds of the army, lost only eight killed and fifty-two wounded.

Jackson’s policy of extermination shocked many humane Americans, and would perhaps have seemed less repulsive had the Creeks shown more capacity for resistance. The proportion between two hundred casualties on one side and seven or eight hundred killed on the other would have been striking in any case, but was especially so where the advantages of position were on the side of the defense. A more serious criticism was that the towns thus exterminated were not the towns chiefly responsible for the outbreak. The Alabamas and the main body of fanatical Creeks escaped.

Jackson was obliged to return to his new fort on the Coosa, a march of five days; and was delayed five days more by preparations to descend the river. When at length he moved southward, scouring the country as he went, he could find no more enemies. He effected his junction with the Georgia troops April 15, and the united armies reached the fork of the Coosa and Tallapoosa April 18, where Major-General Pinckney joined them, April 20, and took command. A few of the hostile leaders, including Weatherford, made submission, but McQueen and the chief prophets escaped to continue the war from Florida.

The number of refugees was never precisely known, but Hawkins reported that eight of the Tallapoosa towns had migrated in a body to Spanish territory, and probably a larger proportion of the Coosa and Alabama towns accompanied them. Whatever their number, they included the most fanatical followers of Tecumseh, and their obstinate outlawry caused long and costly difficulties to the United States Government.

Meanwhile, the whites were conquerors and could take as much of the Creek lands as suited them; but an irregularity of form could not be avoided. Secretary Armstrong first authorized General Pinckney to conclude a treaty of peace with the hostile Creeks, containing a cession of land and other provisions. A few days later, Armstrong saw reason to prefer that the proposed treaty with the Creeks should take a form altogether military and be in the nature of a capitulation. His idea required a treaty with the hostile Creek chiefs; but the hostile Creeks were not a separate organization capable of making a treaty or granting lands of the Creek Nation; and besides that difficulty the hostile chiefs had fled, and refused either to submit or negotiate. The friendly chiefs could hardly capitulate in 'a form altogether military,' because they had never been at war. They had fought in the United States service and were entitled to reward as allies, not to punishment as enemies.

The solution of this legal problem was entrusted to Andrew Jackson, whose services in the war earned for him the appointment of Major-General in the regular army, and the command of Military District No. 7, with headquarters at Mobile. Jackson met the Creek chiefs in July. The Indians, parties to the negotiation, were friendly chiefs, deputies, and warriors, representing perhaps one-third of the entire Creek Nation. To these allies and friends Jackson presented a paper, originally intended

for the hostile Indians, entitled 'Articles of Agreement and Capitulation,' requiring as indemnity for war expenses a surrender of two-thirds of their territory. They were required to withdraw from the southern and western half of Alabama, within the Chattahoochee on the east and the Coosa on the west. The military object of this policy was to isolate them from the Seminoles and Spaniards on one side and from the Choctaws and Chickasaws on the other. The political object was to surround them with a white population.

Unanimously the Creeks refused to accept the sacrifice. Jackson told them in reply that their refusal would show them to be enemies of the United States; that they might retain their own part of the country, but that the part which belonged to the hostile Indians would be taken by the Government; and that the chiefs who would not consent to sign the paper might join the Red Sticks at Pensacola — although, added Jackson, he should probably overtake and destroy them before they could get there. Such arguments could not be answered. A number of the Creeks at last, after long resistance, signed the capitulation or agreement, although they continued to protest against it and refused their aid to carry it out.

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CHAPTER EIGHTY-EIGHT

*The Blockade*

**B**ADLY as the United States fared in the campaign of 1813, their situation would have been easy had they not suffered under the annoyances of a blockade continually becoming more stringent. The doctrine that coasts could be blockaded was enforced against America with an energy that fell little short of demonstration. The summer was well advanced before the whole naval force to be used for the purpose could be posted at the proper stations. Not until May 26 did Admiral Warren issue at Bermuda his proclamation of ‘a strict and rigorous blockade of the ports and harbors of New York, Charleston, Port Royal, Savannah, and of the river Mississippi,’ which completed the blockade of the coast, leaving only the ports of New England open to neutrals. From that time nothing entered or left the blockaded coast except swift privateers or occasional fast-sailing vessels which risked capture in the attempt. Toward the close of the year, Admiral Warren extended his blockade eastward. Notice of the extension was given at Halifax November 16, and by the blockading squadron off New London December 2, thus closing Long Island Sound to all vessels of every description.

No ordinary operations of war could affect the United States so severely as this inexorable blockade. Every citizen felt it in every action of his life. The farmer grew crops which he could not sell, while he paid tenfold prices for every necessity. While the country was bursting with wealth, it was ruined. The blockade was but a part of the evil. The whole coast was systematically swept of the means of industry. Especially the Virginians and Marylanders felt the heavy hand of England as it was felt nowhere else except on the Niagara River. A large British squadron occupied Chesapeake Bay, and converted it into a British naval station. After the month of February, 1813, the coasts of Virginia and Maryland enjoyed not a moment’s repose. Considering the immense naval power wielded by England, the Americans were fortunate that their chief losses were confined to the farmyards and poultry of a few islands in Chesapeake Bay, but the constant annoyance and terror were not the less painful to the people who apprehended attack.

Fortunately the British naval officers showed little disposition to dis-

tinguish themselves, and their huge line-of-battle ships were not adapted to river service. The only officer in the fleet who proved the energy and capacity to use a part of the great force lying idle at Lynnhaven Bay was Rear-Admiral Sir George Cockburn, whose efficiency was attested by the execration in which his name was held for fifty years in the United States. His duties were not of a nature to make him popular, and he was an admiral of the old school, whose boisterous energy seemed to take needless pleasure in the work.

Early in April, 1813, Admiral Warren sent Cockburn with a light flotilla to the head of Chesapeake Bay to destroy everything that could serve a warlike purpose, and to interrupt, as far as possible, communication along the shore. With this petty force Cockburn stationed himself at the mouth of the Susquehanna River, and soon threw Maryland into paroxysms of alarm and anger. Taking possession of the islands in his neighborhood, he obtained supplies of fresh food for the whole British force in Chesapeake Bay.

Cockburn next sent the same force to destroy a battery lately erected at Havre de Grace. The attack was made on the morning of May 3, and met with only resistance enough to offer an excuse for pillage. The militia took refuge in the woods; Cockburn's troops destroyed or carried away the arms and cannon, and set fire to the town of some sixty houses, 'to cause the proprietors (who had deserted them and formed part of the militia who had fled to the woods) to understand and feel what they were liable to bring upon themselves by building batteries and acting toward us with so much useless rancor.'

These expeditions cleared every inlet in the Upper Chesapeake except the Sassafras River on the eastern shore. During the night of May 5, Cockburn sent his boats into the Sassafras. Militia in considerable numbers assembled on both banks and opened a fire which Cockburn described as 'most heavy,' aided by one long gun. Cockburn landed, dispersed the militia, and destroyed Fredericktown and Georgetown, with the vessels and stores he found there.

Thus, in the course of a week, and without loss of life on either side, Cockburn with a few boats and one hundred and fifty men terrorized the shores of the Upper Chesapeake, and by his loud talk and random threats threw even Baltimore into a panic, causing every one to suspend other pursuits in order to garrison the city against an imaginary attack. The

people, harassed by this warfare, remembered with extreme bitterness the marauding of Cockburn and his sailors; but where he met no resistance he paid in part for what private property he took, and as far as was recorded, his predatory excursions cost the Marylanders not a wound.

Compared with the widespread destruction which war brought on these regions half a century afterward, the injury inflicted by the British navy in 1813 was trifling, but it served to annoy the Southern people, who could offer no resistance, and were harassed by incessant militia calls. To some extent the same system of vexation was pursued on the Northern coast. The Delaware River was blockaded and its shores much annoyed. New York was also blockaded, and Nantucket with the adjacent Sounds became a British naval station. There Sir Thomas Hardy, Nelson's favorite officer, commanded, in his flagship the *Ramillies*. Hardy did not encourage marauding such as Cockburn practiced, but his blockade was still stringent, and its efficiency was proved by the failure of Decatur's efforts to evade it.

Decatur commanded a squadron composed of the *United States*, its prize frigate the *Macedonian*, and the sloop-of-war *Hornet*, which lay in the harbor of New York, waiting for a chance to slip out. Impatient at the steady watch kept by the British fleet off Sandy Hook, Decatur brought his three ships through the East River into Long Island Sound. He reached Montauk Point, May 29, only to find Hardy's squadron waiting for him. June 1 he made an attempt to run out, but was chased back, and took refuge in the harbor of New London. A large British squadron immediately closed upon the harbor, and Decatur not only lost hope of getting to sea, but became anxious for the safety of his ships. He withdrew them as far as he could into the river, five miles above the town, and took every precaution to repel attack. The British officers were said to have declared that they would get the *Macedonian* back 'even if they followed her into a cornfield.' They did not make the attempt, but their vigilance never relaxed, and Decatur was obliged to remain all summer idle in port.

The rigor of the British blockade extended no farther north than the Vineyard and Nantucket. Captain Broke in the *Shannon*, with a companion frigate, cruised off Boston Harbor rather to watch for ships-of-war than to interfere with neutral commerce. Along the coast of Maine an illicit trade with the British provinces was so actively pursued that one

of the few American sloops-of-war, the *Enterprise*, cruised there, holding smugglers, privateers, and petty marauders in check. On no other portion of the coast would an armed national vessel have been allowed to show itself, but the *Enterprise*, protected by the bays and inlets of Maine and favored by the absence of a blockade, performed a useful service as a revenue cutter. She was commanded by Lieutenant William Burrows, a Pennsylvanian, who entered the navy in 1799, and, like all the naval heroes, was young — not yet twenty-eight years old.

On the morning of September 5, as the *Enterprise* was cruising eastward, Burrows discovered in a bay near Portland a strange brig, and gave chase. The stranger hoisted three English ensigns, fired several guns, and stood for the *Enterprise*. Perhaps escape would have been impossible; but the British captain might, without disgrace, have declined to fight, for he was no match for the American.

The behavior of Captain Blyth of the *Boxer* showed consciousness of his position, for he nailed his colors to the mast, and told his men that they were not to be struck while he lived. The day was calm, and the two brigs maneuvered for a time before coming together; but at quarter-past three in the afternoon they exchanged their first broadside within a stone's throw of one another. The effect on both vessels was destructive. Captain Blyth fell dead, struck full in the body by an eighteen-pound shot. Lieutenant Burrows fell, mortally wounded, struck by a canister shot. After another broadside, at half-past three the *Enterprise* ranged ahead, crossed the *Boxer*'s bow, and fired one or two more broadsides, until the *Boxer* hailed and surrendered, her colors still nailed to the mast.

Neither the battle between the *Enterprise* and *Boxer*, nor any measures that could be taken by sea or land, prevented a constant traffic between Halifax and the New England ports not blockaded. The United States Government seemed afraid to interfere with it. The newspapers asserted that hundreds of Americans were actually in Halifax carrying on a direct trade, and that thousands of barrels of flour were constantly arriving there from the United States in vessels carrying the Swedish or other neutral flag. In truth the Government could do little to enforce its non-intercourse, and even that little might prove mischievous. Nothing could be worse than the spirit of the people on the frontier. Engaged in a profitable illicit commerce, they could only be controlled by force, and any force not overwhelming merely provoked violence or treason.

During the month of April, 1813, four American frigates lay in Boston Harbor fitting for sea. The *President* and *Congress* returned to that port December 31, 1812. The *Constitution*, after her battle with the *Java*, arrived at Boston February 27, 1813. The *Chesapeake* entered in safety April 9, after an unprofitable cruise of four months. The presence of these four frigates at Boston offered a chance for great distinction to the British officer stationed off the port, and one of the best captains in the service was there to seize it. In order to tempt the American frigates to come out boldly, only two British frigates, the *Shannon* and *Tenedos*, remained off the harbor. They were commanded by Captain P. B. V. Broke of the *Shannon*. Broke expected Rodgers with his ships, the *President* and *Congress*, to seize the opportunity for a battle with two ships of no greater force than the *Shannon* and *Tenedos*; but either Rodgers did not understand the challenge or did not trust it, or took a different view of his duties, for he went to sea on the night of April 30, leaving Broke greatly chagrined and inclined to be somewhat indignant with him for escaping.

After May 1, Broke on the watch outside, as he ran in toward Nahant, could see the masts of only the *Constitution* and *Chesapeake* at the Charlestown Navy Yard, and his anxiety became the greater as he noticed that the *Chesapeake* was apparently ready for sea. May 25, Broke sent away his consort, the *Tenedos*, to cruise from Cape Sable southward, ostensibly because the two frigates cruising separately would have a better chance of intercepting the *Chesapeake* than if they kept together. His stronger reason was to leave a fair field for the *Chesapeake* and *Shannon*, as he had before kept all force at a distance except the *Shannon* and *Tenedos* in order to tempt Rodgers to fight. That there might be no second misunderstanding, he sent several messages to Captain Lawrence commanding the *Chesapeake*, inviting a combat.

The first duty of a British officer was to take risks; the first duty of an American officer was to avoid them, and to fight only at his own time, on his own terms. Rodgers properly declined to seek a battle with Broke's ships. Captain James Lawrence of the *Chesapeake* was less cautious, for his experience in the war led him to think worse of the British navy than it deserved. Lawrence was then thirty-two years old; he was born in New Jersey in 1781, entered the navy in 1798, and served in the war with Tripoli. He was first lieutenant on the *Constitution*, and passed to the

grade of commander in 1810, commanding successively the *Vixen*, the *Wasp*, the *Argus*, and the *Hornet*. His appointment to the *Chesapeake* was an accident, owing to the ill-health of Captain Evans, who commanded her on her recent cruise. The *Chesapeake's* reputation for ill-luck clung to her so persistently that neither officers nor men cared greatly to sail in her, and Lawrence would have preferred to remain in the *Hornet*; but his instructions were positive, and he took command of the *Chesapeake* about the middle of May. Most of the officers and crew were new. The old crew on reaching port, April 9, had been discharged, and left the ship, dissatisfied with their share of prize-money, and preferring to try the privateer service.

Sunday, May 30, the ship was ready, though the crew was not as good or as well disciplined as it should have been, and showed some discontent owing to difficulties about prize-money. On the morning of June 1, the frigate was lying in President's Roads, when between eight and nine o'clock the second lieutenant, George Budd, reported a sail in sight. Captain Lawrence went up the main rigging, and having made out the sail to be a large frigate, ordered the crew to be mustered, and told them he meant to fight. At midday he stood down the harbor and out to sea. The *Shannon*, outside, stood off under easy sail, and led the way until five o'clock, when she luffed and waited till the *Chesapeake* came up. As the wind was westerly, Lawrence had the choice of position, but he made no attempt to profit by his advantage, although it might have been decisive. Bringing the *Chesapeake* with a fresh breeze directly down on the *Shannon's* quarter, at half-past five he luffed, at about fifty yards' distance, and ranged up abeam on the *Shannon's* starboard side.

The *Shannon* opened fire as her guns began to bear, but discharged only her two sternmost guns when the *Chesapeake* replied. The two ships ran on about seven minutes, or about the length of time necessary for two discharges of the first guns fired, when, some of the *Shannon's* shot having cut away the *Chesapeake's* foretopsail tie and jib-sheet, the ship came up into the wind and was taken aback. Lying with her larboard quarter toward the *Shannon's* side, at some forty or fifty yards' distance, she began to drift toward her enemy. None of the *Chesapeake's* guns then bore on the *Shannon*, and the American frigate wholly ceased firing.

From the moment the *Chesapeake* was taken aback, she was a beaten ship, and the crew felt it. She could be saved only by giving her headway,

or by boarding the *Shannon*; but neither expedient was possible. The effort to make sail forward was tried, and proved futile. The idea of boarding was also in Lawrence's mind, but the situation made it impracticable. As the *Chesapeake* drifted stern foremost toward the *Shannon*, every gun in the British broadside swept the American deck diagonally from stern to stem, clearing the quarter-deck and beating in the stern-ports, while the musketry from the *Shannon*'s tops killed the men at the *Chesapeake*'s wheel, and picked off every officer, sailor, or marine in the after-part of the ship. From the moment when the *Chesapeake* was taken aback until the moment when she fell foul, only four minutes were given for Lawrence to act. Before these four minutes were at an end, he was struck and mortally wounded by a musket-ball from the *Shannon*.

As the ships fouled, Broke ran forward and called for boarders. With about twenty men he stepped on the *Chesapeake*'s quarter-deck, and was followed by thirty more before the ships parted. Had the American crew been in a proper state of discipline, the struggle would have taken an extraordinary character, and the two ships might have renewed the combat, without officers, and in a more or less unmanageable condition. Fortunately for Broke, his fifty men outnumbered the Americans on the spar-deck, while the men below, for the most part, would not come up. The disgrace to the Americans did not consist so much in the loss of a ship to one of equal force as in the shame of suffering capture by a boarding-party of fifty men. As Lawrence lay wounded in the cockpit, he saw the rush of his men from the spar-deck down the after-ladders, and cried out repeatedly and loudly, 'Don't give up the ship! Blow her up!' He was said to have added afterward: 'I could have stood the wreck if it had not been for the boarding.'

Doubtless the *Shannon* was the better ship, and deserved to win. Her crew could under no circumstances have behaved like the crew of the *Chesapeake*. In discipline she was admittedly superior; but the question of superiority in other respects was not decided. The accident that cut the *Chesapeake*'s jib-sheet and brought her into the wind was the only decisive part of the battle, and was mere ill-luck, such as pursued the *Chesapeake* from the beginning. As far as could be seen, in the favorite American work of gunnery the *Shannon* showed no superiority.

Six weeks afterward, another American naval captain lost another

American vessel-of-war by reason of the same overconfidence which caused Lawrence's mistakes, and in a manner equally discreditable to the crew. The *Argus* was a small brig, built in 1808, rating sixteen guns. In the summer of 1813, she was commanded by Captain W. H. Allen of Rhode Island, who had been third officer to Barron when he was attacked in the *Chesapeake* by the *Leopard*. Allen was the officer who snatched a coal from the galley and discharged the only gun that was fired that day. On leaving the *Chesapeake*, Allen was promoted to be first officer in the *United States*. To his exertions in training the men to the guns, Decatur attributed his superiority in gunnery over the *Macedonian*. To him fell one of the most distinguished honors that ever came to the share of an American naval officer — that of successfully bringing the *Macedonian* to port. Promoted to the rank of captain, he was put in command of the *Argus*, and ordered to take William Henry Crawford to his post as minister to France.

On that errand the *Argus* sailed, June 18, and after safely landing Crawford, July 11, at Lorient in Brittany, Captain Allen put to sea again, three days afterward, and in pursuance of his instructions cruised off the mouth of the British Channel. During an entire month he remained between the coast of Brittany and the coast of Ireland, destroying a score of vessels and creating a panic among the shipowners and underwriters of London. Allen performed his task with as much forbearance as the duty permitted, making no attempt to save his prizes for the sake of prize-money, and permitting all passengers to take what they claimed as their own without inspection or restraint. The English whose property he destroyed spoke of him without personal ill-feeling.

The anxiety and labor of such a service falling on a brig of three hundred tons and a crew of a hundred men, and the impunity with which he defied danger, seemed to make Allen reckless. On the night of August 13, he captured a brig laden with wine from Oporto. Within sight of the Welsh coast and within easy reach of Milford Haven, he burned his prize, not before part of his crew got drunk on the wine. The British brig *Pelican*, then cruising in search of the *Argus*, guided by the light of the burning prize, at five o'clock on the morning of August 14 came down on the American brig; and Captain Allen, who had often declared that he would run from no two-masted vessel, waited for his enemy.

At six o'clock in the morning the *Argus* wore, and fired a broadside

within grape distance, which was returned with cannon and musketry. Within five minutes Captain Allen was struck by a shot which carried away his left leg, mortally wounding him; and five minutes afterward the first lieutenant was wounded on the head by a grapeshot. Although the second lieutenant fought the brig well, the guns were surprisingly inefficient.

The *Pelican*, at the end of twenty-five minutes, succeeded in cutting up her opponent's rigging so that the *Argus* lay helpless under her guns. The *Pelican* then took a position on her enemy's starboard quarter, and raked her with eight thirty-two-pound carronades for nearly twenty minutes at close range, without receiving a shot in return except from musketry. According to the report of the British captain, the action 'was kept up with great spirit on both sides forty-three minutes, when we lay her alongside, and were in the act of boarding when she struck her colors.'

Two such defeats were calculated to shake confidence in the American navy. That Allen should have been beaten in gunnery was the more strange, because his training with the guns gave him his chief credit with Decatur. Watson, the second lieutenant of the *Argus*, attributed the defeat to the fatigue of his crew. Whatever was the immediate cause, no one could doubt that both the *Chesapeake* and *Argus* were sacrificed to the overconfidence of their commanders.

## CHAPTER EIGHTY-NINE

### *Privateering*

THE LOSS OF THE *Chesapeake* was a terrible disaster, not merely because it announced the quick recovery of England's pride and power from a momentary shock, but also because it threatened to take away the single object of American enthusiasm which redeemed shortcomings elsewhere. After the loss of the *Chesapeake*, no American frigate was allowed the opportunity to fight with an equal enemy. The British frigates, ordered to cruise in company, gave the Americans no chance to renew their triumphs of 1812.

Indeed, the experience of 1813 tended to show that the frigate was no longer the class of vessel best suited to American wants. Excessively expensive compared with their efficiency, the *Constitution*, *President*, and *United States* could only with difficulty obtain crews; and when after much delay they were ready for sea, they could not easily evade a blockading squadron. The original cost of a frigate varied from two hundred thousand dollars to three hundred thousand; that of a sloop-of-war, like the *Hornet*, *Wasp*, or *Argus*, varied between forty and fifty thousand dollars. The frigate required a crew of about four hundred men; the sloop carried about one hundred and fifty. The annual expense of a frigate in active service was about one hundred and thirty-four thousand dollars; that of the brig was sixty thousand. The frigate required much time and heavy timber in her construction; the sloop could be built quickly and of ordinary material. The loss of a frigate was a severe national disaster; the loss of a sloop was not a serious event.

For defensive purposes neither the frigate nor the brig counted heavily against a nation which employed ships-of-the-line by dozens; but even for offensive objects the frigate was hardly so useful as the sloop-of-war. The record of the frigates for 1813 showed no results equivalent to their cost.

In the enthusiasm over the frigates in 1812, Congress voted that six forty-fours should be built, besides four ships-of-the-line. The Act was approved January 2, 1813. Not until March 3 did Congress pass an Act for building six new sloops-of-war. The loss of two months was not the only misfortune in this legislation. Had the sloops been begun in

January, they might have gone to sea by the close of the year. The six sloops were all launched within eleven months from the passage of the bill, and the first of them, the *Frolic*, got to sea within that time, while none of the frigates or line-of-battle ships could get to sea within two years of the passage of the law. A more remarkable oversight was the building of only six sloops, when an equal number of forty-fours and four seventy-fours were ordered. Had Congress voted twenty-four sloops, the proportion would not have been improper; but perhaps the best policy would have been to build fifty such sloops, and to prohibit privateering.

The history of the privateers was never satisfactorily written. Neither their number, their measurements, their force, their captures, nor their losses were accurately known. Little ground could be given for an opinion in regard to their economy. Only with grave doubt could any judgment be reached even in regard to their relative efficiency compared with Government vessels of the same class. Yet their experience was valuable, and their services were very great.

In the summer of 1812 any craft that could keep the sea in fine weather set out as a privateer to intercept vessels approaching the coast. The typical privateer of the first few months was the pilot-boat, armed with one or two long-nine or twelve-pound guns. The typical privateer of 1813 was a larger vessel — a brig or schooner of two or three hundred tons, armed with one long pivot-gun, and six or eight lighter guns in broadside; carrying crews which varied in number from one hundred and twenty to one hundred and sixty men; swift enough to escape under most circumstances even a frigate and strong enough to capture any armed merchantman.

As the war continued, experience taught the owners of privateers the same lesson that was taught to the Government. The most efficient vessel of war corresponded in size with the *Hornet* or the new sloops-of-war building in 1813. Tonnage was so arbitrary a mode of measurement that little could be learned from the dimensions of five hundred tons commonly given for these vessels; but in a general way they might be regarded as about one hundred and fifteen or one hundred and twenty feet long on the spar-deck and thirty-one feet in extreme breadth. Unless such vessels were swift sailers, particularly handy in working to windward, they were worse than useless; and for that reason the utmost effort was made both by the public and private constructors to obtain speed.

At the close of the war the most efficient vessel afloat was probably the American sloop-of-war, or privateer, of four or five hundred tons, rigged as a ship or brig, and carrying one hundred and fifty or sixty men, with a battery varying according to the ideas of the captain and owners, but in the case of privateers almost invariably including one 'long Tom,' or pivot-gun.

The last purpose of a privateer was to fight at close range, and owners much preferred that their vessels, being built to make money, should not fight at all unless much money could be made. The private armed vessel was built rather to fly than to fight, and its value depended far more on its ability to escape than on its capacity to attack. If the privateer could sail close to the wind, and wear or tack in the twinkling of an eye; if she could spread an immense amount of canvas and run off as fast as a frigate before the wind; if she had sweeps to use in a calm, and one long-range gun pivoted amidships, with plenty of men in case boarding became necessary — she was perfect. To obtain these results the builders and sailors ran excessive risks. Too lightly built and too heavily sparred, the privateer was never a comfortable or a safe vessel. Beautiful beyond anything then known in naval construction, such vessels roused boundless admiration, but defied imitators.

Nothing could convince a British admiral that Americans were better fighters than Englishmen; but when he looked at the American schooner he frankly said that England could show no such models and could not sail them if she had them. In truth, the schooner was a wonderful invention. Not her battles, but her escapes won for her the open-mouthed admiration of the British captains, who saw their prize double like a hare and slip through their fingers at the moment when capture was sure. Under any ordinary condition of wind and weather, with an open sea, the schooner, if only she could get to windward, laughed at a frigate.

The reports of privateer captains to their owners were rarely published, and the logs were never printed or deposited in any public office. Occasionally, in the case of a battle or the loss of guns or spars or cargo in a close pursuit, the privateer captain described the causes of his loss in a letter which found its way into print; and from such letters some idea could be drawn of the qualities held in highest regard, both in their vessels and in themselves. The first and commonest remark was that privateers of any merit never seemed to feel anxious for their own safety

so long as they could get to windward a couple of gunshots from their enemy. They would risk a broadside in the process without very great anxiety. They chiefly feared lest they might be obliged to run before the wind in heavy weather. The little craft which could turn on itself like a flash and dart away under a frigate's guns into the wind's eye long before the heavy ship could come about had little to fear on that point of sailing; but when she was obliged to run to leeward, the chances were more nearly equal. Sometimes, especially in light breezes or in a stronger wind, by throwing guns and weighty articles overboard privateers could escape; but in heavy weather the ship-of-war could commonly outrun them, and more often could drive them on a coast or into the clutches of some other man-of-war.

The total number of prizes captured from the British in 1813 exceeded four hundred, four-fifths of which were probably captured by privateers, national cruisers taking only seventy-nine. If the privateers succeeded in taking three hundred and fifty prizes, the whole number of privateers could scarcely have exceeded one hundred. The Government cruisers *President*, *Congress*, *Chesapeake*, *Hornet*, and *Argus* averaged nearly ten prizes apiece. Privateers averaged much less; but they were ten times as numerous as the Government cruisers and inflicted four times as much injury.

Such an addition to the naval force of the United States was very important. Doubtless the privateers contributed more than the regular navy to bring about a disposition for peace in the British classes most responsible for the war. The colonial and shipping interests, whose influence produced the Orders in Council, suffered the chief penalty. The West India colonies were kept in constant discomfort and starvation by swarms of semi-piratical craft darting in and out of every channel among their islands; but the people of England could have borne with patience the punishment of the West Indies had not the American cruisers inflicted equally severe retribution nearer home.

Great Britain was blockaded. No one could deny that manifest danger existed to any merchant vessel that entered or left British waters. During the summer the blockade was continuous. Toward the close of 1812 an American named Preble, living in Paris, bought a small vessel, said to have belonged in turn to the British and French navy, which he fitted as a privateer brig, carrying sixteen guns and one hundred and sixty men.

The *True-Blooded Yankee*, commanded by Captain Hailey, sailed from Brest March 1, 1813, and cruised thirty-seven days on the coasts of Ireland and Scotland, capturing twenty-seven valuable vessels; sinking coasters in the very Bay of Dublin; landing and taking possession of an island off the coast of Ireland, and of a town in Scotland, where she burned seven vessels in the harbor. She returned safely to Brest, and soon made another cruise. At the same time the schooner *Fox* of Portsmouth burned or sunk vessel after vessel in the Irish Sea, as they plied between Liverpool and Cork. In May, the schooner *Paul Jones* of New York, carrying sixteen guns and one hundred and twenty men, took or destroyed a dozen vessels off the Irish coast, until she was herself caught in a fog by the frigate *Leonidas*, and captured May 23 after a chase in which five of her crew were wounded.

While these vessels were thus engaged, the brig *Rattlesnake* of Philadelphia, carrying sixteen guns and one hundred and twenty men, and the brig *Scourge* of New York, carrying nine guns and one hundred and ten men, crossed the ocean and cruised all the year in the northern seas off the coasts of Scotland and Norway, capturing some forty British vessels, and costing the British merchants and shipowners losses to the amount of at least two million dollars. In July the *Scourge* fell in with Commodore Rodgers in the *President*, and the two vessels remained several days in company off the North Cape, while the British Admiralty sent three or four squadrons in search of them without success. July 19, after Rodgers had been nearly a month in British waters, one of these squadrons drove him away, and he then made a circuit round Ireland before he turned homeward. At the same time, from July 14 to August 14, the *Argus* was destroying vessels in the British Channel at the rate of nearly one a day. After the capture of the *Argus*, August 14, the *Grand Turk* of Salem, a brig carrying sixteen guns and one hundred and five men, cruised for twenty days in the mouth of the British Channel without being disturbed. Besides these vessels, others dashed into British waters from time to time as they sailed forward and back across the ocean in the track of British commerce.

No one disputed that the privateers were a very important branch of the American navy; but they suffered under serious drawbacks, which left doubtful the balance of merits and defects. Perhaps their chief advantage compared with Government vessels was their lightness — a

quality which no Government would have carried to the same extent. The long-range pivot-gun was another invention of the privateer, peculiarly successful and easily adapted for Government vessels. In other respects, the same number or even half the number of sloops-of-war would have probably inflicted greater injury at less cost. The *Argus* showed how this result could have been attained. The privateer's first object was to save prizes; and in the effort to send captured vessels into port the privateer lost a large proportion by recapture. Down to the moment when Admiral Warren established his blockade of the American coast from New York southward, most of the prizes got to port. After that time the New England ports alone offered reasonable chance of safety, and privateering received a check. During the war about twenty-five hundred vessels, all told, were captured from the British. Many were destroyed; many released as cartels; and of the remainder not less than seven hundred and fifty, probably one-half the number sent to port, were recaptured by the British navy. Most of these were the prizes of privateers, and would have been destroyed had they been taken by Government vessels. They were usually the most valuable prizes, so that the injury that might have been inflicted on British commerce was diminished nearly one-half by the system which encouraged private war as a money-making speculation.

If instead of five hundred privateers of all sizes and efficiency, the Government had kept twenty sloops-of-war constantly at sea destroying the enemy's commerce, the result would have been about the same as far as concerned injury to the enemy, while in another respect the Government would have escaped one of its chief difficulties. Nothing injured the navy so much as privateering. Seamen commonly preferred the harder but more profitable and shorter cruise in a privateer, where fighting was not expected or wished, to the strict discipline and murderous battles of Government ships, where wages were low and prize-money scarce. Of all towns in the United States, Marblehead was probably the most devoted to the sea; but of nine hundred men from Marblehead who took part in the war, fifty-seven served as soldiers, one hundred and twenty entered the navy, while seven hundred and twenty-six went as privateersmen. Only after much delay and difficulty could the frigates obtain crews. The *Constitution* was nearly lost by this cause at the beginning of the war; and the loss of the *Chesapeake* was supposed to be

chiefly due to the determination of the old crew to quit the Government service for that of the privateers.

Such drawbacks raised reasonable doubts as to the balance of advantages and disadvantages offered by the privateer system. Perhaps more careful inquiry might show that, valuable as the privateers were, the Government would have done better to retain all military and naval functions in its own hands and to cover the seas with small cruisers capable of pursuing a system of thorough destruction against the shipping and colonial interests of England.

## CHAPTER NINETY

### *The Last Embargo*

GALLATIN AND BAYARD, having sailed from the Delaware May 9, arrived at St. Petersburg July 21, only to find that during the six months since the Czar offered to mediate, Russia had advanced rapidly in every direction except that of the proposed mediation. Napoleon, after being driven from Russia in December, 1812, passed the winter in Paris organizing a new army of three hundred thousand men on the Elbe, between Dresden and Magdeburg, while a second army of more than one hundred thousand was to hold Hamburg and Bremen. Russia could not prevent Napoleon from reconstructing a force almost as powerful as that with which he had marched to Moscow, for the Russian army had suffered very severely and was unfit for active service; but the Czar succeeded in revolutionizing Prussia and in forcing the French to retire from the Vistula to the Elbe, while he gained a reinforcement of more than one hundred thousand men from the fresh and vigorous Prussian army. Even with that assistance the Czar could not cope with Napoleon, who, leaving Paris April 17, during the month of May fought furious battles at Lützen and Bautzen, which forced the allied Russian and Prussian armies back from the Elbe to the Oder.

At that point Austria interfered so energetically as to oblige Napoleon to accept an armistice for the purpose of collecting new forces. During the armistice the Czar stationed himself at Gitschin in Bohemia, nine hundred miles from St. Petersburg, and about the same distance from London by the path that couriers were obliged to take. When Gallatin and Bayard reached St. Petersburg, July 21, the armistice, which had been prolonged until August 10, was about to expire, and the Czar could not be anxious to decide subordinate questions until the issue of the coming campaign should be known.

Meanwhile, the Government of England had in May, with many friendly expressions, declined the Russian mediation. Castlereagh probably hoped that this quiet notification to Lieven, the Russian envoy in London, would end the matter; but toward the month of July, news reached London that the American commissioners, Gallatin and Bayard,

had arrived at Gothenburg on their way to Russia, and Castlereagh then saw that he must be more explicit in his refusal. Accordingly he took measures for making the matter clear, not only to the Russian Government, but also to the American commissioners.

July 13, Castlereagh wrote Cathcart new instructions, directing him to present a formal note acquainting the Czar that the Prince Regent was 'ready immediately to name plenipotentiaries to meet and treat with the American plenipotentiaries in the earnest desire' of peace, either in London or at Gothenburg; although he could 'not consent that these discussions should be carried on in any place which might be supposed to imply that they were in any way connected with any other negotiations.' He wrote privately to Cathcart that the mere knowledge of the intervention of a third Power in any arrangement with the United States would probably decide the British people against it.

In regular succession these expressions of British policy were received at St. Petersburg in the Czar's absence and in the doubtful state of mind which followed the battles of Lützen and Bautzen. Alexander had left Count Roumanzoff at St. Petersburg, continuing to act as Chancellor of the Empire and Foreign Secretary; but in truth the Minister of Foreign Affairs, as far as the Czar then required such an officer, was Count Nesselrode, who attended Alexander in person and received his orders orally. Nesselrode at that time was rather an agent than an adviser; but in general he represented the English alliance and hostility to Napoleon, while Roumanzoff represented the French alliance and hostility to England.

Of English diplomacy Americans knew something, and could by similarity of mind divine what was not avowed. Of French diplomacy they had long experience, and their study was rendered from time to time more easy by Napoleon's abrupt methods. Of Russian diplomacy they knew little or nothing. Thus far Minister Adams had been given his own way. He had been allowed to seem to kindle the greatest war of modern times, and had been invited to make use of Russia against England; but the Czar's reasons for granting such favor were mysterious even to Adams, for while Napoleon occasionally avowed motives, Alexander never did. Russian diplomacy moved wholly in the dark.

Roumanzoff's conduct became more and more mysterious to the commissioners. He did not notify them of Castlereagh's official offer to negotiate directly. He confounded Adams, August 19, by flatly denying

his own information, given two months before, that England rejected mediation in principle because it involved doctrines of her internal government. Roumanzoff insisted that England had never refused to accept the mediation, although he held in his hands at least two dispatches from Lieven, written as late as July 13, officially communicating England's determination to negotiate directly or not at all. In denying that such instructions had been given, Roumanzoff could not have expected the American commissioners to believe him.

At Töplitz, September 1, Cathcart delivered to Nesselrode his formal note, refusing Russian mediation and communicating the offer of England to negotiate directly. In an ordinary condition of Government, Nesselrode should have taken care that the British note should be made known without delay to the American commissioners at St. Petersburg, but the Czar kept in his own hands the correspondence with Roumanzoff and the Americans, and neither he nor Nesselrode communicated Cathcart's act to Roumanzoff. Possibly their silence was due to the new military movements. August 29, the French Marshal Vandamme with forty thousand men, pursuing the allies into Bohemia, was caught between the Prussians and Austrians August 30 and crushed. During the month of September, severe fighting, favorable to the allies, occurred, but no general advance was made by the allied sovereigns.

Alexander next received at Töplitz, toward September 20, a letter from Roumanzoff enclosing a renewal of the offer of mediation, to be proposed in a dispatch to Lieven, read by Roumanzoff to the American commissioners August 24, and sent to London August 28. The Czar must have known the futility of this new step, as well as the mistake into which Roumanzoff had been led, and the awkward attitude of the American commissioners. Only a fortnight before, he had received Cathcart's official note, and a few days earlier he had assured Cathcart that he should do no more in the matter. Yet, September 20, Alexander wrote with his own hand a note of four lines to Roumanzoff, approving his dispatch to Lieven, and begging him to follow up the affair as he had begun it.

Perhaps the Czar's conduct admitted of several interpretations. He might wish to keep the mediation alive in order to occupy Roumanzoff until the campaign should be decided; or he might in his good-nature prefer to gratify his old favorite by allowing him to do what he wished;

or he took this method of signifying to Roumanzoff his disgrace and the propriety of immediate retirement. Apparently Roumanzoff took the last view, for he sent his resignation to the Czar, and at the close of the year quitted his official residence at the Department of Foreign Affairs, telling Gallatin that he remained in office only till he should receive authority to close the American mission.

The American commissioners in private resented Alexander's treatment, but were unable to leave Russia without authority. Gallatin learned, October 19, that the Senate had refused to confirm his appointment, but he remained at St. Petersburg, chiefly in deference to Roumanzoff's opinion, and probably with ideas of assisting the direct negotiation at London or elsewhere. Meanwhile, the campaign was decided, October 18, by Napoleon's decisive overthrow at Leipzig, which forced him to retreat behind the Rhine. Still the Czar wrote nothing to Roumanzoff, and the American commissioners remained month after month at St. Petersburg. Not until January 25, 1814, did Gallatin and Bayard begin their winter journey to Amsterdam, where they arrived March 4 and remained a month. Then Gallatin received, through Baring, permission to enter England, and crossed the Channel to hasten if he could the direct negotiation which Castlereagh had offered and Madison accepted.

The diplomatic outlook had changed since March, 1813, when the President accepted the offer of Russian mediation; but the change was wholly for the worse. England's triumphs girdled the world and found no check except where Perry's squadron blocked the way to Detroit. The allied armies crossed the Rhine in December and entered France on the east. At the same time Wellington after a long campaign drove Joseph from Spain, and entering France from the south pressed against Bordeaux. The Government and people of England, in their excitement and exultation at daily conquests, thought as little as they could of the American war.

By a curious coincidence, Castlereagh's official letter to Monroe, offering direct negotiation, was dated the same day, November 4, when news of the victory at Leipzig met in London news of the defeat on Lake Erie, and Castlereagh probably meant to allow no newspaper prejudices to obstruct a peace; but public opinion was slow to recover its balance. When news arrived that the Americans had captured Malden, recovered Detroit, and destroyed Proctor's army on the Thames, the *Courier*

showed the first symptom of change in opinion by expressing a somewhat simple-minded wish to hear no more about the Americans:

The intelligence is unpleasant, but we confess that we do not view, and have never from the beginning of the war viewed, the events in America with any very powerful interest. The concurrences in Europe will no doubt produce a very decisive effect upon the American Government; and unless it is more obstinate and stupid in its hostility than even *we* think it, it will do as the other allies of Bonaparte have done — abandon him.

The approaching fall of Napoleon threatened to throw America outside the pale of civilization. Englishmen seemed ready to accept the idea that Madison and Napoleon should be coupled together, and that no peace should be made which did not include the removal of both from office and power. Of all periods in American history this was probably the least adapted to negotiation, but while England was at the moment of her most extravagant sense of power, President Madison received and accepted Castlereagh's offer to negotiate, and Gallatin went with Bayard to London to hasten the approach of peace.

Congress assembled December 6, 1813, at a time of general perplexity. The victories of Perry and Harrison, September 10 and October 5, had recovered Detroit and even conquered a part of West Canada, but their successes were already dimmed by the failures of Wilkinson and Hampton before Montreal and the retreat of both generals, November 13, within United States territory. In the Creek country the Georgians had failed to advance from the east, and Jackson was stopped at Fort Strother by want of supplies and men. At sea the navy was doing little, while the British blockade from New London southward was becoming more and more ruinous to the Southern and Middle States, and through them to the Government. With this material the President was obliged to content himself in framing his Annual Message.

The Message sent to Congress December 7 began by expressing regret that the British Government had disappointed the reasonable anticipation of discussing and, if possible, adjusting the rights and pretensions in dispute. From France nothing had been received on the subjects of negotiation. The Message closed by a succession of paragraphs which seemed written in a spirit of panegyric upon war:

The war has proved moreover that our free government like other free governments, though slow in its early movements, acquires in its progress a force proportioned to its freedom; and that the Union of these States, the guardian of the freedom and safety of all and of each, is strengthened by every occasion that puts it to the test. In fine, the war with its vicissitudes is illustrating the capacity and the destiny of the United States to be a great, a flourishing, and a powerful nation.

Whatever the ultimate result of the war might be, it had certainly not thus far strengthened the Union. On the contrary, public opinion seemed to be rapidly taking the shape that usually preceded a rupture of friendly relations between political societies. Elections in the Middle States showed that the war, if not actually popular, had obliged the people there to support the Government for fear of worse evils; but the steady drift of opinion in the Middle States toward the war was simultaneous with an equally steady drift in the Eastern States against it.

Less than a month before Madison wrote his Annual Message, Governor Chittenden of Vermont, by proclamation November 10, recalled the State militia from national service. The intercourse between the Eastern States and the enemy was notorious. The Federalist press of Massachusetts, encouraged by Russian and English success in Europe, discussed the idea of withdrawing the State from all share in the war and making a separate arrangement with England. The President's first act, after sending to Congress his Annual Message, was to send a special Message incidentally calling attention to the want of harmony that paralyzed the energy of the Government.

The special and secret Message of December 9 asked Congress once more to impose an embargo. Considering the notorious antipathy of the Eastern States to the system of embargo, the new experiment was so hazardous as to require proof of its necessity. Although Madison pointed to the notorious supply of food for the British forces in Canada as one of the motives for imposing an embargo, no one supposed that motive to be decisive. Other laws already forbade and punished such communication with the enemy; and experience proved that a general embargo would be no more effective than any special prohibition. The idea that England could be distressed by an embargo seemed still less likely to influence Government. Congress knew that Russia, Prussia, Denmark, Sweden and Norway, Spain, and South America were already open to

English commerce, and that a few days must decide whether Napoleon could much longer prevent Great Britain from trading with France. The possibility of distressing England by closing Boston and Salem, New Bedford and Newport, to neutral ships was not to be seriously treated.

Whatever was the true motive of the President's recommendation, Congress instantly approved it. The next day, December 10, the House went into secret session, and after two days of debate passed an Embargo Act by a vote of eighty-five to fifty-seven, which quickly passed the Senate by a vote of twenty to fourteen.

The Act was approved December 17. Hardly had it gone into operation when the British schooner *Bramble* arrived at Annapolis, December 30, bringing a letter from Castlereagh to Monroe offering to negotiate directly, though declining mediation. Important as this news was, it did not compare with that in the newspapers brought by the *Bramble*. These contained official reports from Germany of great battles fought at Leipzig October 16, 18, and 19, in which the allies had overwhelmed Napoleon in defeat so disastrous that any hope of his continuing to make head against them in Germany was at an end. Except France, the whole Continent of Europe already was open to British commerce, or soon must admit it. From that moment the New England Federalists no longer doubted their own power. Their tone rose; their opposition to the war became more threatening; their schemes ceased to be negative, and began to include plans for positive interference; and the embargo added strength to their hatred of Madison and the Union.

Madison was seldom quick in changing his views, but the battle of Leipzig was an event so portentous that optimism could not face it. Other depressing news poured in. Fort George was evacuated; Fort Niagara was disgracefully lost; Lewiston, Black Rock, and Buffalo were burned, and the region about Niagara was laid waste; blue lights were seen at New London. Every prospect was dark, but the battle of Leipzig was fatal to the last glimmer of hope that England could be brought to reason, or that New England could be kept quiet. A change of policy could not safely be delayed.

Castlereagh's offer was instantly accepted. January 5, Monroe replied, with some complaint at the refusal of mediation, that the President acceded to the offer of negotiating at Gothenburg. The next day Madison sent the correspondence to Congress, with a warning not to relax 'vigorous

preparations for carrying on the war.' A week afterward, January 14, he nominated J. Q. Adams, J. A. Bayard, Henry Clay, and Jonathan Russell as commissioners to negotiate directly with Great Britain, and the Senate confirmed the nominations, January 18, with little opposition except to Jonathan Russell's further nomination as minister to Sweden, which was confirmed by the narrow vote of sixteen to fourteen. Three weeks later, February 8, Albert Gallatin was added to the commission, George W. Campbell being nominated to the Treasury.

The prompt acceptance of Castlereagh's offer, the addition of Henry Clay to the negotiators, and the removal of Gallatin from the Treasury showed that diplomacy had resumed more than its old importance. The hope of peace might serve to quiet New England for a time, but mere hope with so little to nourish it could not long pacify anyone if the embargo was to remain in force.

In theory, the overthrow of Napoleon should have not essentially affected the Embargo or the Non-Importation Acts, which were expected to press upon England independently of Napoleon's Continental system; but in practice the embargo having produced no apparent effect on Europe during the war, could not be expected to produce an effect after England had succeeded in conquering France and had abandoned her blockades as France had abandoned her decrees. For that reason avowedly Madison at last yielded, and sent a Message to Congress March 31, recommending that the system of commercial restriction should cease. His retreat was absolute. He recommended that Congress should throw open the ports and should abandon all restriction on commerce beyond a guaranty of war duties for two years after peace as a measure of protection to American manufactures.

The House, April 7, by a vote of one hundred and fifteen to thirty-seven, passed the bill repealing the Embargo and Non-Importation Acts; the Senate also passed it, April 12, by a vote of twenty-six to four; the President, April 14, approved it; and from that day the restrictive system, which had been the cardinal point of Jefferson's and Madison's statesmanship, seemed to vanish from the public mind and the party politics of the country. Yet so deeply riveted was the idea of its efficacy among the Southern people that at the next great crisis of their history they staked their lives and fortunes on the same belief of their necessity to Europe which had led them into the experiment of coercing Napoleon

and Canning by commercial deprivations; and their second experiment had results still more striking than those which attended their first.

The explanation of this curious popular trait certainly lay in the nature of Southern society; but the experience was common to the whole Union. When the restrictive system was abandoned of necessity in April, 1814, it had brought the country to the verge of dissolution. The Government could neither make war nor peace; the public seemed indifferent or hostile; and the same traits which characterized the restrictive system continued to paralyze the efforts of Congress to adopt more energetic methods.

I will yet hope we may have no more war [wrote Mrs. Madison to Mrs. Gallatin January 7, 1814]. If we do, alas! alas! we are not making ready as we ought to do. Congress trifle away the most precious of their days — days that ought to be devoted to the defense of their divided country.

During the campaign of 1813, as the story has shown, the Government never succeeded in placing more than ten or eleven thousand effective rank-and-file in the field in a single body. About as many more were in garrison, and the sick-list was always large. The establishment consisted of 58,254 men authorized by law; but the legal establishment was not half-filled. The European news showed that England would soon be able to reinforce her army in Canada and take the offensive. Instead of sixty thousand men, Armstrong needed twice that number for a moderately safe defense, since every part of the seacoast stood at the enemy's mercy, and no adequate defense was possible which did not include an offensive return somewhere on the Canadian frontier. Needing more than one hundred thousand — authorized by law to enlist sixty thousand — he could depend on less than thirty thousand men. Yet so far from attempting to increase the establishment, Armstrong hoped only to fill the ranks.

The appropriations for the military establishment amounted to nearly twenty-five million dollars, the Federalists alone voting against them. The naval appropriations amounted to seven millions, and were voted without opposition. The Secretary of the Navy discouraged the building of more cruisers, owing to want of timber and seamen; but Congress showed more than ordinary sagacity by appropriating half a million dollars for the construction of floating batteries with steam-power.

Such provision for the coming campaign offered little evidence of in-

creasing energy to make head against the vastly increased military and naval power of England; but the financial outlook was much worse than the military, and Congress dared not face it. The acting Secretary of the Treasury, William Jones, sent his annual report to the House January 8, and so far as his balance-sheet went, no difficulties were apparent. He had disbursed thirty million dollars during the past fiscal year, and needed nearly forty millions for the current year. These sums were not excessive when compared with the wealth of the country or its exertions at other periods of national danger. Half a century afterward the people of the Southern States, not much more numerous than the people of the Union in 1812, and with a far larger proportion of slaves, supported during four years the burden of an army numbering nearly five hundred thousand men. For the same period the Northern people, not much exceeding twenty millions in number, lent their Government more than five hundred million dollars a year. The efforts of 1864, proportioned to the population, were nearly ten times as great as those of 1814, when Secretary Jones looked with well-founded alarm at the prospect of borrowing thirty millions for the year, and of maintaining an army which could scarcely be expected to number forty thousand rank-and-file.

The first and fatal blow to the Treasury was the loss of the Bank of the United States, which left the Government without financial machinery or a sound bank-note circulation. The next blow, almost equally severe, was the loss of the Massachusetts and Connecticut banks, which were the strongest in the Union. Whether the responsibility for the loss rested on the Executive, Congress, or the two States might be a subject for dispute; but whoever was responsible, the effect was ruinous. The New England banks were financial agents of the enemy. The bank capital of Massachusetts including Maine was about twelve and a quarter million dollars; that of Connecticut exceeded three millions. The whole bank capital of New England reached eighteen millions, or nearly one-third of the paid bank capital of the whole country. That nearly one-third of the national resources should be withdrawn from the aid of Government was serious enough; but in reality the loss was much greater, for New England held a still larger proportion of the specie on which the bank circulation of other States depended.

The system of commercial restrictions was responsible for thus, at the most critical moment of the war, throwing the control of the national

finances into the hands of the Boston Federalists. Against the protests of the Federalists, manufactures had been forced upon them by national legislation until New England supplied the Union with articles of necessary use at prices practically fixed by her own manufacturers. From the whole country specie began to flow toward Boston as early as the year 1810, and with astonishing rapidity after the war was declared. The British blockade stimulated the movement, and the embargo of December, 1813, which lasted till April, 1814, cut off every other resource from the Southern and Western States. Unable longer to send their crops even to New England for a market, they were obliged to send specie, and they soon came to the end of their supply. The Massachusetts banks, which reported about \$820,000 in specie in 1809, returned more than \$3,680,000 in June, 1812; which rose to \$5,780,000 in June, 1813, and reached nearly \$7,000,000 in June, 1814. In five years the Massachusetts banks alone drew more than six million dollars in specie from the Southern and Middle States, besides what they sent to Canada in payment for British bills.

No one knew how much specie the country contained. Gallatin afterward estimated it at seventeen million dollars, and of that amount the banks of New England in 1814 probably held nearly ten millions. Already the banks of New England were pressing their demands on those of New York, which in their turn called on Philadelphia and Baltimore. The specie drained to New England could find its way back only by means of Government loans, which New England refused to make in any large amount. On the other hand, Boston bought freely British Treasury notes at liberal discount, and sent coin to Canada in payment of them. Probably New England lent to the British Government during the war more money than she lent to her own. The total amount subscribed in New England to the United States loans was less than three millions.

This situation was well understood by Congress. In the debate of February, 1814, the approaching dangers were repeatedly pointed out. The alarm was then so great that the Committee of Ways and Means reported a bill to incorporate a new national bank with a capital of thirty million dollars, while Macon openly advocated the issue of Government paper, declaring that 'paper money never was beat.' Congress after a diffuse debate passed only a loan bill for twenty-five millions, and an Act for the issue of five million interest-bearing Treasury notes, leaving with

the President the option to issue five millions more in case he could not borrow it. The legislation was evidently insufficient, and satisfied no one. 'You have authorized a loan for twenty-five millions,' said Grundy in the debate of April 2, 'and have provided for the expenditure of so much money. Where is the money?'

Without attempting to answer this question, April 18 Congress adjourned.

## CHAPTER NINETY-ONE

### *Monroe and Armstrong*

WITH THE REPEAL of the embargo ended the early period of United States history, when diplomatists played a part at Washington equal in importance to that of the Legislature or the Executive. The statecraft of Jefferson and Madison was never renewed. Thenceforward the Government ceased to balance between great foreign Powers and depended on its own resources. As far as diplomacy had still a part to play in the year 1814, its field of action was in Europe; and there the ablest men in civil life were sent. Gallatin, Bayard, J. Q. Adams, and Crawford were already on the spot; and Henry Clay, after resigning the Speaker's chair, January 19, 1814, sailed for Gothenburg to take part in the negotiation.

President Madison sought in vain for men of equal ability to supply the gaps made by transferring so many of his strongest supporters to Europe. The House of Representatives, January 19, elected Langdon Cheves Speaker; but the choice was a defeat for Madison, whose friends supported Felix Grundy. Cheves was a man of ability, and in general policy was a friend of the Administration; but most of the other material upon which the President must depend was greatly inferior to Cheves.

The President's favorite candidate for the Treasury, after Gallatin showed his determination to remain abroad, was Alexander James Dallas of Pennsylvania. Dallas was one of Gallatin's strongest personal friends, an Old Republican, and a lawyer of undoubted ability. In Pennsylvania, Dallas commanded no support. Both the Senators Leib and Lacock, opposed his appointment to the Treasury, and were able to procure his rejection had Madison ventured to make it.

Obliged to abandon Dallas, the President offered the appointment to Richard Rush, the comptroller, who declined it. At last Madison pitched upon G. W. Campbell of Tennessee. Since Crawford's departure, Campbell had represented the Administration in the Senate, but neither as Senator nor as Representative had he won great distinction. Best known for his duel with Barent Gardenier, his physical courage was more apparent than his financial fitness.

Madison was also obliged to select a new Attorney-General in place of

William Pinkney. Madison offered the post to Richard Rush, who accepted it. Rush's abilities were more than respectable, and caused regret that he had not accepted the Treasury, for which he was better fitted than Campbell; but these changes did not improve the Cabinet.

Little by little the pressure of necessity compelled Congress and the country to follow Madison's lead. Whether for good or for evil, he had his way. His enemies were overcome and driven from the field; his friends were rewarded, and his advice followed. Of revolt within the party he stood no longer in fear. Already political intrigue and factiousness began to take a direction which concerned him only so far as he felt an interest in the choice of his successor. Three years more would complete Madison's public career, and in all probability if another President of the United States were ever elected, he would be one of Madison's friends; but many persons doubted whether the country would reach another Presidential election, and the jealousy which actuated New England against the South was not the only ground for that opinion. In Madison's immediate circle of friends, the jealousy between Virginia and New York threatened to tear the Government in pieces. These States did not, like Massachusetts, threaten to leave the Union, but their struggles for power promised to bring government to a standstill.

The antipathy of New York for Virginia was not lessened by the success of Virginia in overthrowing Aaron Burr and De Witt Clinton. The Republican Party in New York quickly produced two new aspirants to the Presidency, whose hopes were founded on public weariness of Virginian supremacy. One of the two candidates was Governor Daniel D. Tompkins, whose services as War-Governor of New York were great, and were rewarded by great popularity. Governor Tompkins was too remote from the capital to annoy Madison by direct contact with factions or activity in intrigue; but the other rival stood at the center of Executive patronage. John Armstrong was a man capable of using power for personal objects, and not easily to be prevented from using it as he pleased.

Armstrong was an unusual character. The local influences which shaped Americans were illustrated by the leaders whom New York produced, and by none better than by Armstrong. Virginians could not understand, and could still less trust, such a combination of keenness and will, with absence of conventional morals as the Secretary of War displayed. The Virginians were simple in everything; even their casu-

istry was old-fashioned. Armstrong's mind belonged to modern New York. The Virginians were a knot of country gentlemen, inspired by faith in rural virtues, and sustained by dislike for the city tendencies of Northern society. Among themselves they were genial, reluctant to offend, and eager to remove causes of offense. The domestic history of the Government at Washington repeated the Virginian traits. Jefferson and his friends passed much time in making quarrels, and more in making peace. Unlike Pennsylvania, New York, and New England, Virginia stood stoutly by her own leaders; and however harsh Virginians might be in their judgment of others, they carried delicacy to an extreme in their treatment of each other. Even John Randolph and W. B. Giles, who seemed to put themselves beyond the social pale, were treated with tenderness and regarded with admiration.

The appearance of a rough and harshly speaking friend in such a society was no slight shock, and for that reason William Henry Crawford was regarded with some alarm; but Crawford was socially one of themselves, while Armstrong belonged to a different type and class. The faculty of doing a harsh act in a harsh way, and of expressing rough opinions in a caustic tone, was not what the Virginians most disliked in Armstrong. His chief fault in their eyes, and one which they could not be blamed for resenting, was his avowed want of admiration for the Virginians themselves. Armstrong's opinion on that subject, which was but the universal opinion of New York politicians, became notorious long before he entered the Cabinet, and even then annoyed Madison.

Possibly Armstrong regarded his own acceptance of the War Department in January, 1813, as proof both of courage and disinterestedness. He knew that he could expect no confidence from Virginians; but apparently he cared little for Virginian enmity, and was chiefly fretted by what he thought Virginian incompetence. No one could fail to see that he came into the Government rather as a master than a servant.

Whatever were Armstrong's faults, he was the strongest Secretary of War the Government had yet seen. Hampered by an inheritance of mistakes not easily corrected, and by a chief whose methods were unmilitary in the extreme, Armstrong still introduced into the army an energy wholly new. Before he had been a year in office he swept away the old generals with whom Madison and Eustis had encumbered the service, and in their place substituted new men. While Major-Generals

Dearborn, Pinckney, and Morgan Lewis were set over military districts where active service was unnecessary, and while Major-General Wilkinson was summoned to the last of his many courts of inquiry, the President sent to the Senate, January 21 and February 21, the names of two new major-generals and six brigadiers of a totally different character from the earlier appointments.

The first major-general was George Izard of South Carolina, born at Paris in 1777, his father, Ralph Izard, being then American commissioner with Franklin and Deane. Returning to America only for a few years after the peace, George Izard at the age of fifteen was sent abroad to receive a military education in England, Germany, and France in the great school of the French Revolution. As far as education could make generals, Izard was the most promising officer in the United States service. Appointed in March, 1812, colonel of the Second Artillery, promoted to brigadier in March, 1813, he served with credit under Hampton at Chateaugay.

The second new major-general was Jacob Brown, who, after receiving the appointment of brigadier, July 19, 1813, was suddenly promoted to major-general at the same time with Izard. The selection was the more remarkable because Brown had no military education, and was taken directly from the militia. Born in Pennsylvania in 1775 of Quaker parentage, Brown began life as a schoolmaster. At the instance of the Society of Friends, he taught their public school in New York City for several years with credit. He then bought a large tract of land near Sackett's Harbor, and in 1799 undertook to found a town of Brownville. He soon became a leading citizen in that part of New York, and in 1809 was appointed to the command of a militia regiment. In 1811 he was made a brigadier of militia, and at the beginning of the war distinguished himself by activity and success at Ogdensburg. His defense of Sackett's Harbor in 1813 won him a brigade in the regular service, and his share in Wilkinson's descent of the St. Lawrence led to his further promotion.

The six new brigadiers were also well chosen. They were Alexander Macomb, T. A. Smith, Daniel Bissell, Edmund P. Gaines, Winfield Scott, and Eleazer W. Ripley, all colonels of the regular army, selected for their merits. Armstrong supplied Brown's defects of education by giving him the aid of Winfield Scott and Ripley, who were sent to organize brigades at Niagara.

The energy thus infused by Armstrong into the regular army lasted for half a century; but perhaps his abrupt methods were better shown in another instance, which brought upon him the displeasure of the President. Against Harrison, Armstrong from the first entertained a prejudice. Believing him to be weak and pretentious, the Secretary of War showed the opinion by leaving him in nominal command in the Northwest, but sending all his troops in different directions, without consulting him even in regard to movements within his own military department. Harrison, taking just offense, sent his resignation as major-general, May 11, 1814, but at the same time wrote to Governor Shelby of Kentucky a letter which caused the Governor to address to the President a remonstrance against accepting the resignation.

At that moment Armstrong and Madison were discussing the means of promoting Andrew Jackson in the regular service for his success in the Creek campaigns. No commission higher than that of brigadier was then at their disposal, and a commission as brigadier was accordingly prepared for Jackson May 22, with a brevet of major-general. Harrison's resignation had been received by Armstrong two days before issuing Jackson's brevet, and had been notified to the President, who was then at Montpelier. The President replied May 25, suggesting that, in view of Harrison's resignation, the better way would be to send a commission as major-general directly to Jackson: 'I suspend a final decision, however, till I see you, which will be in two or three days after the arrival of this.' No sooner did Armstrong receive the letter than, without waiting for the President's return, he wrote to Jackson, May 28: 'Since the date of my letter of the 24th, Major-General Harrison has resigned his commission in the army, and thus is created a vacancy in that grade, which I hasten to fill with your name.'

Armstrong, struggling with the load of incapable officers and insufficient means, for which Madison and Congress were responsible, required the firm support of his chief and his colleagues, as well as of the army and of Congress, to carry the burden of the war; but he had not a friend to depend upon. Pennsylvania and Virginia equally distrusted him, and the fate of any public man distrusted by Pennsylvania and Virginia was commonly fixed in advance.

Thus the elements of confusion surrounding Armstrong were many. A suspicious and hesitating President; a powerful and jealous Secretary

of State; a South Carolinian major-general, educated in the French engineers, commanding on Lake Champlain; a Pennsylvania school-master, of Quaker parentage, without military knowledge, commanding at Sackett's Harbor and Niagara; a few young brigadiers eager to distinguish themselves, and an army of some thirty thousand men — these were the elements with which Armstrong was to face the whole military power of England; for Paris capitulated March 31, and the war in Europe was ended.

The President ordered a court-martial on Hull before Armstrong entered the War Department. A. J. Dallas drew up the specifications, and inserted, contrary to his own judgment, a charge of treason made by the department. The other charges were cowardice, neglect of duty, and unofficer-like conduct. Monroe, while temporarily at the head of the department, organized the first court to meet at Philadelphia February 25, 1813. Major-General Wade Hampton was to preside.

Before the trial could be held, Armstrong came into office, and was obliged to order the members of the court to active service. Hampton was sent to Lake Champlain, and when his campaign ended in November, 1813, he returned under charges resembling those against Hull. Finding that neither Wilkinson nor Armstrong cared to press them, and satisfied that no inquiry could be impartial, Hampton determined to settle the question by once more sending in his resignation, which he did in March, 1814, when it was accepted. Armstrong in effect acquitted Hampton by accepting his resignation.

Meanwhile, Hull waited for trial. During the summer of 1813 he saw nearly all his possible judges disgraced and demanding courts-martial like himself. Hampton was one; Wilkinson another; Dearborn a third. Dearborn had been removed from command of his army in face of the enemy, and loudly called for a court of inquiry. Instead of granting the request, the President again assigned him to duty in command of Military District No. 3, comprising the city of New York, and also made him President of the court-martial upon General Hull.

The impropriety of such a selection could not be denied. Of all men in the United States, Dearborn was most deeply interested in the result of Hull's trial, and the President, next to Dearborn, would be most deeply injured by Hull's acquittal. The judgment of Dearborn, or of any court over which Dearborn presided, in a matter which affected both court and

Government so closely could not command respect. That Armstrong lent himself to such a measure was a new trait of character never explained; but that Madison either ordered or permitted it showed that he must have been unconscious either of Dearborn's responsibility for Hull's disaster or of his own.

Hull offered no objection to his court, and the trial began at Albany, January 3, 1814, Dearborn presiding, and Martin Van Buren acting as special judge-advocate. March 26, the court sentenced Hull to be shot to death for cowardice, neglect of duty, and unofficer-like conduct. April 25, President Madison approved the sentence, but remitted the execution, and Hull's name was ordered to be struck from the army roll.

That someone should be punished for the loss of Detroit was evident, and few persons were likely to complain because Hull was a selected victim; but many thought that if Hull deserved to be shot, other men, much higher than he in office and responsibility, merited punishment; and the character of the court-martial added no credit to the Government, which in effect it acquitted of blame.

## CHAPTER NINETY-TWO

### *Massachusetts Decides*

AT THE BEGINNING OF THE YEAR 1814, the attitude of New England pleased no one, and perhaps annoyed most of the New England people themselves, who were conscious of showing neither dignity, power, courage, nor intelligence. Nearly one-half the people of the five New England States supported the war, but were paralyzed by the other half, which opposed it. Of the peace party, one-half wished to stop the war, but was paralyzed by the other half, which threatened to desert their leaders at the first overt act of treason. In this deadlock everyone was dissatisfied, but no one seemed disposed to yield.

Such a situation could not last. In times of revolution treason might be necessary, but inert perversity could at no time serve a useful purpose. Yet the Massachusetts Federalists professed only a wish to remain inert. Josiah Quincy, who fretted at restraints, and whose instincts obliged him to act as energetically as he talked, committed his party to the broad assertion that 'a moral and religious people' could not express admiration for heroism displayed in a cause they disapproved. They would defend Massachusetts only by waiting to be invaded; and if their safety depended on their possessing the outlet of Lake Champlain, they would refuse to seize it if in doing so they should be obliged to cross the Canadian line.

In thus tempting blows from both sides, Massachusetts could hardly fail to suffer more than by choosing either alternative. Had she declared independence, England might have protected and rewarded her. Had she imitated New York in declaring for the Union, probably the Union would not have allowed her to suffer in the end. The attempt to resist both belligerents forfeited the forbearance of both. The displeasure of Great Britain was shown by a new proclamation, dated April 25, 1814, including the ports of New England in the blockade.

However annoying the blockade might be, it was a trifling evil compared with other impending dangers from Great Britain. Invasion might be expected, and its object was notorious. England was known to regret the great concessions she had made in the definitive Treaty of 1783. She wished especially to exclude the Americans from the fisheries and to

rectify the Canadian boundary by recovering a portion of Maine, then a part of Massachusetts. If Massachusetts by her neutral attitude should compel President Madison to make peace on British terms, Massachusetts must lose the fisheries and part of the District of Maine; nor was it likely that any American outside of New England would greatly regret her punishment.

The extreme Federalists felt that their position could not be maintained, and they made little concealment of their wish to commit the State in open resistance to the Union. They represented as yet only a minority of their party; but in conspiracies, men who knew what they wanted commonly ended by controlling the men who did not. Pickering was not popular; but he had the advantage of following a definite plan, familiar for ten years to the party leaders, and founded on the historical idea of a New England Confederation.

The first step was, as usual, to hold town meetings and adopt addresses to the General Court. Some forty towns followed this course, and voted addresses against the embargo and the war. Their spirit was fairly represented by one of the most outspoken, adopted by a town meeting at Amherst, over which Noah Webster presided January 3, 1814. The people voted:

That the representatives of this town in the General Court are desired to use their influence to induce that honorable body to take the most vigorous and decisive measures compatible with the Constitution to put an end to this hopeless war, and to restore to us the blessings of peace. What measures it will be proper to take, we pretend not to prescribe; but whatever measures they shall think it expedient to adopt, either separately or in conjunction with the neighboring States, they may rely upon our faithful support.

The addresses of the towns to the General Court were regularly referred to a committee, which reported February 18, in a spirit not altogether satisfactory to the advocates of action:

On the subject of a convention, the committee observe that they entertain no doubt of the right of the Legislature to invite other States to a convention and to join it themselves for the great purposes of consulting for the general good, and of procuring amendments to the Constitution whenever they find that the practical construction given to it by the rulers for the time being is contrary to its true spirit and injurious to their immediate constituents.

So revolutionary was the step that the committee of both Houses shrank from it: 'They have considered that there are reasons which render it inexpedient at the present moment to exercise this power.' They advised that the subject should not be immediately decided, but should be referred to the Representatives soon to be returned for the next General Court, who would 'come from the people still more fully possessed of their views and wishes as to the all-important subject of obtaining by future compact, engrafted into the present Constitution, a permanent security against future abuses of power, and of seeking effectual redress for the grievances and oppressions now endured.'

To the people, therefore, the subject of a New England Convention was expressly referred. The issue was well understood, and excluded all others in the coming April election. So serious was the emergency, and so vital to the Administration and the war was the defeat of a New England Convention, that the Republicans put forward no party candidate, but declared their intention to vote for Samuel Dexter, a Federalist — although Dexter, in a letter dated February 14, reiterated his old opinions hostile to the embargo, and professed to be no further a Republican than that he offered no indiscriminate opposition to the war. His Federalism was that of Rufus King and Bayard.

With the pertinacity which was his most remarkable trait, Madison clung to the embargo all winter in face of overwhelming motives to withdraw it. A large majority in Congress disliked it. England having recovered her other markets could afford to conquer the American as she had conquered the European, and to wait a few months for her opportunity. The embargo bankrupted the Treasury, threatened to stop the operations of war, and was as certain as any ordinary antecedent of a consequent result to produce a New England Convention. Yet the President maintained it until the news from Europe caused a panic in Congress.

The Massachusetts election took place in the first days of April, while Congress was engaged in repealing the embargo and the system of commercial restrictions. The result showed that Dexter might have carried the State and defeated the project of a New England Convention had the embargo been repealed a few weeks earlier.

At the same time William Plumer, supported like Dexter by the Republicans, very nearly carried New Hampshire, and by gaining a ma-

jority of the Executive Council, precluded the possibility that New Hampshire as a State could take part in a New England Convention. The President's Message recommending a repeal of the embargo was sent to Congress March 31, and the Act of Repeal was signed April 14. Two weeks later, April 28, the New York election took place. To this election both parties anxiously looked. The Administration press admitted that all was lost if New York joined Massachusetts, and the New England Federalists knew that a decisive defeat in New York would leave them to act alone.

The May election of 1814 was for the State Assembly and for Congress. No opportunity was given for testing the general opinion of the State on a single issue, but no one could mistake what the general opinion was. City and State reversed their political character. The Republicans recovered possession of the Assembly with a large majority of seventy-four to thirty-eight, and the Congressional delegation numbered twenty-one Republicans and only six Federalists.

The result was supposed to be largely due to a dislike of the New England scheme and to a wish among New York Federalists that it should be stopped. The energy of the demonstration in New York marked the beginning of an epoch in national character; yet the change came too late to save Massachusetts from falling for the first time into the hands of the extreme Federalists. The towns of Massachusetts chose as their Representatives to the General Court a majority bent on taking decisive action against the war. Connecticut and Rhode Island were controlled by the same impulse, and the discouraged Republicans could interpose no further resistance. A New England Convention could be prevented only by a treaty of peace.

The effect of the attitude of New England was felt throughout the Union, and, combined with the news from Europe, brought a general conviction that peace must be made. The great mass of citizens who had been from the first indifferent to the war felt that peace on any terms could no longer be postponed. Mere disunion was not the result chiefly to be feared. That disunion might follow a collapse of the National Government was possible; but for the time, Massachusetts seemed rather disposed to sacrifice the rest of the Union for her own power than to insist on a separation. Had the Eastern States suffered from the hardships of war, they might have demanded disunion in despair; but in truth New

England was pleased at the contrast between her own prosperity and the sufferings of her neighbors. The blockade and the embargo brought wealth to her alone. The farming and manufacturing industries of New England never grew more rapidly than in the midst of war and commercial restrictions.

To avoid the temptation of lending money to support Madison's measures, many investors brought British Government bills of exchange at twenty to twenty-two per cent discount. These bills were offered for sale in quantities at Boston; and perhaps the most legitimate reason for their presence there was that they were taken by New England contractors in payment for beef and flour furnished to the British commissariat in Canada.

While New England thus made profits from both sides, and knew not what to do with the specie that flowed into her banks, the rest of the country was already insolvent, and seemed bent on bankruptcy. The war was practically at an end as far as the Government conducted it. The army could not show a regiment with ranks more than half full. The first three months of the year produced less than six thousand recruits. The Government could defend the frontier only at three or four fortified points. On the ocean, Government vessels were scarcely to be seen. The Treasury was as insolvent as the banks, and must soon cease even the pretense of meeting its obligations.

The Secretary of the Treasury, authorized by law to borrow twenty-five millions and needing forty, offered a loan for only ten millions shortly before Congress adjourned. In Boston the Government brokers advertised that the names of subscribers should be kept secret, while the *Boston Gazette* of April 14 declared that 'any man who lends his money to the Government at the present time will forfeit all claim to common honesty and common courtesy among all true friends to the country.'

For this desperate situation of the Government, New England was chiefly responsible. In pursuing their avowed object of putting an end to the war, the Federalists obtained a degree of success surprising even to themselves, and explained only by general indifference toward the war and the Government. No one could suppose that the New England Federalists, after seeing their object within their grasp, would desist from effecting it. They had good reason to think that between Madison's obstinacy and their own, the National Government must cease its func-

tions — that the States must resume their sovereign powers, provide for their own welfare, and enter into some other political compact; but they could not suppose that England would forego her advantages or consent to any peace which should not involve the overthrow of Madison and his party.

In such conditions of society morbid excitement was natural. Many examples in all periods of history could be found to illustrate every stage of a mania so common. The excitement of the time was not confined to New England. A typical American man-of-the-world was Gouverneur Morris. Cool, easy-tempered, incredulous, with convictions chiefly practical, and illusions largely rhetorical, Morris delivered an oration on the overthrow of Napoleon to a New York audience, June 29, 1814.

And thou too, Democracy! savage and wild! [began Morris's peroration] — thou who wouldest bring down the virtuous and wise to the level of folly and guilt! thou child of squinting envy and self-tormenting spleen! thou persecutor of the great and good! — see! though it blast thine eyeballs — see the objects of thy deadly hate! See lawful princes surrounded by loyal subjects! . . . Let those who would know the idol of thy devotion seek him in the island of Elba!

The idea that American democracy was savage and wild stood in flagrant contrast to the tameness of its behavior; but the belief was a part of conservative faith, and Gouverneur Morris was not ridiculed, even for bad taste, by the society to which he belonged, because he called by inappropriate epithets the form of society which most of his fellow-citizens preferred. In New England, where democracy was equally admired, the austere virtue of the Congregational Church viewed the subject in a severer light. The War of 1812 was not even a necessary war. Only in a metaphysical or dishonest sense could any clergyman affirm that war was more necessary in 1812 than in any former year since the Peace of 1783. Diplomacy had so confused its causes that no one could say for what object Americans had intended to fight — still less, after the peace in Europe, for what object they continued their war. Assuming the conquest of Canada and of Indian territory to be the motive most natural to the depraved instincts of human nature, the clergy saw every reason for expecting a judgment. They held that as the war was unnecessary and unjust, no one could give it voluntary aid without incurring the guilt of blood.

The attitude was clerical, and from that point of view commanded a degree of respect such as was yielded to the similar conscientiousness of the Friends; but it was fatal to government and ruinous to New England. Nothing but confusion could result from it if the war should continue, while the New England Church was certain to be the first victim if peace should invigorate the Union.

## CHAPTER NINETY-THREE

### *Chippawa, Lundy's Lane, and Fort Erie*

AFTER THE CLOSE OF THE CAMPAIGN on the St. Lawrence, in November, 1813, General Wilkinson's army, numbering about eight thousand men, sick and well, went into winter quarters at French Mills, on the Canada line, about eight miles south of the St. Lawrence. It lay idle between November 13 and February 1, when, under orders from Armstrong, it was broken up. Brigadier-General Brown, with two thousand men, was sent to Sackett's Harbor. The rest of the army was ordered to fall back to Plattsburg — a point believed most likely to attract the enemy's notice in the spring.

Wilkinson obeyed, and found himself, in March, at Plattsburg with about four thousand effectives. He knew that the British outpost at the crossing of Lacolle Creek, numbering two hundred men, all told, was without support nearer than Isle aux Noix, ten miles away; but it was stationed in a stone mill, with thick walls and a solid front. He took two twelve-pound field-guns to batter the mill, and crossing the boundary, March 30, with his four thousand men, advanced four or five miles to Lacolle Creek. The guns were then placed in position and opened fire; but Wilkinson was disconcerted to find that after two hours the mill was unharmed. He ventured neither to storm it nor flank it; and after losing more than two hundred men by the fire of the garrison, he ordered a retreat, and marched his army back to Champlain.

With this last example of his military capacity, Wilkinson disappeared from the scene of active life, where he had performed so long and extraordinary a part. Orders arrived, dated March 24, relieving him from duty under the form of granting his request for a court of inquiry. Once more he passed the ordeal of a severe investigation and received the verdict of acquittal; but he never was again permitted to resume his command in the army.

Meanwhile, Brown could do nothing at Sackett's Harbor. The British held control of the Lake, while Commodore Chauncey and the contractor Eckford were engaged in building a new ship which was to be ready in July. The British nearly succeeded in preventing Chauncey from appearing on the Lake during the entire season, for no sooner did Sir James Yeo sail from Kingston in the spring than he attempted to destroy the

American magazines. Owing to the remote situation of Sackett's Harbor in the extreme northern corner of the State, all supplies and war material were brought first from the Hudson River to Oswego by way of the Mohawk River and Oneida Lake. About twelve miles above Oswego, the American magazines were established, and there the stores were kept until they could be shipped on schooners and forwarded fifty miles along the Lake shore to Sackett's Harbor — always a hazardous operation in the face of an enemy's fleet. The destruction of the magazines would have been fatal to Chauncey, and even the capture or destruction of the schooners with stores was no trifling addition to his difficulties.

Sir James Yeo left Kingston May 4, and appeared off Oswego the next day, bringing a large body of troops, numbering more than a thousand rank-and-file. They found only about three hundred men to oppose them, and having landed May 6, they gained possession of the fort which protected the harbor of Oswego. Four schooners were captured or destroyed and some twenty-four hundred barrels of flour, pork, and salt, but nothing of serious importance.

Although the chief American depot escaped destruction, the disgrace and discouragement remained, that after two years of war the Americans, though enjoying every advantage, were weaker than ever on Lake Ontario and could not defend even so important a point as Oswego from the attack of barely a thousand men. Their coastwise supply of stores to Sackett's Harbor became a difficult and dangerous undertaking, to be performed mostly by night. Chauncey remained practically blockaded in Sackett's Harbor; and without his fleet in control of the Lake the army could do nothing effectual against Kingston.

Already time was short. The allies had entered Paris March 31; the citadel of Bayonne capitulated to Wellington April 28. In a confidential dispatch dated June 3, Lord Bathurst notified the Governor-General of Canada that ten thousand men had been ordered to be shipped immediately for Quebec. July 5, Major-General Torrens at the Horse-Guards informed Prevost that four brigades — Brisbane's, Kempt's, Power's, and Robinson's; fourteen regiments of Wellington's best troops — had sailed from Bordeaux for Canada. Prevost could afford in July to send westward every regular soldier in Lower Canada, sure of replacing them at Montreal by the month of August.

Brown might have been greatly strengthened at Niagara by drawing

from Detroit the men that could be spared there; but the Cabinet obliged Armstrong to send the Detroit force — about nine hundred in number — against Mackinaw. Early in July the Mackinaw expedition, commanded by Lieutenant-Colonel Croghan, started from Detroit, and August 4 it was defeated and returned. Croghan's expedition did not even arrive in time to prevent a British expedition from Mackinaw crossing Wisconsin and capturing, July 19, the distant American post at Prairie du Chien.

Armstrong did not favor Croghan's expedition, wishing to bring him and his two batteries to reinforce Brown, but yielded to the Secretary of the Navy, who wished to capture Mackinaw, and to the promises of Commodore Chauncey that on or before July 1 he would sail from Sackett's Harbor and command the Lake.

Armstrong wrote to Brown, June 10, describing the movement intended. The Secretary of the Navy, he said, thought Chauncey could not be ready before July 15:

To give, however, immediate occupation to your troops, and to prevent their blood from stagnating, why not take Fort Erie and its garrison, stated at three or four hundred men? Land between Point Abino and Erie in the night; assail the fort by land and water; push forward a corps to seize the bridge at Chippawa; and be governed by circumstances in either stopping there or going farther. Boats may follow and feed you. If the enemy concentrates his whole force on this line, as I think he will, it will not exceed two thousand men.

Brown had left Sackett's Harbor, and was at Buffalo when these orders reached him. He took immediate measures to carry them out. Besides his regular force, he called for volunteers to be commanded by Peter B. Porter; and he wrote to Chauncey, June 21, an irritating letter, complaining of having received not a line from him, and giving a sort of challenge to the navy to meet the army before Fort George, by July 10. The letter showed that opinion in the army ran against the navy, and particularly against Chauncey, whom Brown evidently regarded as a sort of naval Wilkinson. In truth, Brown could depend neither upon Chauncey nor upon volunteers. The whole of Brown's army consisted of half a dozen skeleton regiments, and including every officer, as well as all Porter's volunteers, numbered barely thirty-five hundred men present for duty. The aggregate, including sick and absent, did not reach five thousand.

According to the weekly return of June 22, 1814, Major-General Riall, who commanded the right division of the British army, had a force of four thousand rank-and-file present for duty; but of this number the larger part were in garrison at York, Burlington Heights, and Fort Niagara. In all, on the Niagara River, Riall commanded two thousand three hundred and thirty-seven rank-and-file present for duty. All told, sick and well, the regular force numbered two thousand eight hundred and forty men. They belonged chiefly to the First, or Royal Scots; the Eighth, or King's; the Hundredth, the Hundred-and-Third Regiments, and the artillery, with a few dragoons.

As soon as Porter's volunteers were ready, the whole American army was thrown across the river. The operation was effected early in the morning of July 3; and although the transport was altogether insufficient, the movement was accomplished without accident or delay. The fort, which was an open work, capitulated at five o'clock in the afternoon. One hundred and seventy prisoners, including officers of all ranks, were surrendered by the major in command.

The next British position was at Chippawa, about sixteen miles below. To Chippawa Major-General Riall hastened from Fort George, on hearing that the American army had crossed the river above; and there, within a few hours, he collected about fifteen hundred regulars and six hundred militia and Indians, behind the Chippawa River, in a position not to be assailed in front. The American army also hastened toward Chippawa.

Brown, knowing his numbers to be about twice those of Riall, was anxious to attack before Riall could be reinforced; and on the morning of July 5, he gave orders for constructing a bridge above Riall's position. The bridge was likely to be an affair of several days, and Riall showed a disposition to interfere with it. His scouts and Indians crossed and occupied the woods on the American left, driving in the pickets and annoying the reconnoitering party, and even the camp. To dislodge them, Porter's volunteers and Indians were ordered forward to clear the woods; and at about half-past four o'clock in the afternoon, Porter's advance began to drive the enemy's Indians back, pressing forward nearly to the Chippawa River. There the advancing volunteers and Indians suddenly became aware that the whole British army was in the act of crossing the Chippawa Bridge on their flank. The surprise was complete, and Porter's brigade naturally broke and fell back in confusion.

No one could have been more surprised than Brown, or more incredulous than Scott, at Riall's extraordinary movement. The idea that a British force of two thousand men at most should venture to attack more than three thousand, with artillery, covered by a deep, miry creek, had not entered their minds. Riall drew up his little army in three columns on the Chippawa plain — the King's Regiment, four hundred and eighty strong, in advance, supported by the Royal Scots, five hundred strong, and the Hundredth, four hundred and fifty strong, with a troop of dragoons and artillerists; in all about fifteen hundred regular troops, with two twenty-four-pound field-pieces and a five-and-a-half-inch howitzer. Six hundred militia and Indians occupied the woods. The whole force advanced in order of battle toward Street's Creek.

If Riall was unwise to attack, Scott tempted destruction by leaving his secure position behind the creek; but at that moment he was in his happiest temper. He meant to show what he and his brigade could do. As his thin column crossed the bridge, the British twenty-four-pound guns opened upon it; but the American line moved on, steady as veterans, and formed in order of battle beyond.

The two lines advanced, stopping alternately to fire and move forward, while Towson's guns, having blown up a British caisson, were turned on the British column. The converging American fire made havoc in the British ranks, and when the two lines came within some sixty or seventy paces of each other in the center, the flanks were actually in contact. Then the whole British line broke and crumbled away. The battle had lasted less than an hour.

The number of Riall's killed was nearly three times the number of Scott's killed, and proved that the battle was decided by the superior accuracy or rapidity of the musketry and artillery fire, other military qualities being assumed to be equal.

The battle of Chippawa was the only occasion during the war when equal bodies of regular troops met face to face, in extended lines on an open plain in broad daylight, without advantage of position; and never again after that combat was an army of American regulars beaten by British troops. Small as the affair was, and unimportant in military results, it gave to the United States Army a character and pride it had never before possessed.

Riall regained the protection of his lines without further loss; but two

days afterward, Brown turned his position and Riall abandoned it with the whole peninsula except Fort George. Leaving garrisons in Fort George and Fort Niagara, he fell back toward Burlington Bay to await reinforcements. Brown followed as far as Queenston, where he camped July 10, doubtful what next to do.

Riall had already received, July 9, a reinforcement of seven hundred regulars; at his camp, only thirteen miles from Brown, he had twenty-two hundred men; in garrison at Fort George and Niagara he left more than a thousand men; Lieutenant-General Drummond was on his way from Kingston with the Eighty-Ninth Regiment, four hundred strong, under Colonel Morrison, who had won the battle of Chrystler's Field, while still another regiment, De Watteville's, was on the march. Four thousand men were concentrating on Fort George.

Brown was so well aware of his own weakness that he neither tried to assault Fort George nor to drive Riall farther away. After a fortnight passed below Queenston, he suddenly withdrew to Chippawa July 24, and camped on the battlefield. Riall instantly left his camp at eleven o'clock in the night of July 24, and followed Brown's retreat with about a thousand men, as far as Lundy's Lane, only a mile below the Falls of Niagara. There he camped at seven o'clock on the morning of July 25, waiting for the remainder of his force, about thirteen hundred men, who marched at noon and were to arrive at sunset.

Thus Brown at Chippawa Bridge, on the morning of July 25, with twenty-six hundred men present for duty, had Riall within easy reach three miles away at Lundy's Lane, with only a thousand men; but Brown expected no such sudden movement from the enemy and took no measures to obtain certain information. He was with reason anxious for his rear. His position was insecure and unsatisfactory except for attack. From the moment it became defensive, it was unsafe and needed to be abandoned.

The British generals were able to move on either bank of the river. While Riall at seven o'clock in the morning went into camp within a mile of Niagara Falls, Lieutenant-General Gordon Drummond with the Eighty-Ninth Regiment disembarked at Fort George.

Had Drummond advanced up the American side with fifteen hundred men, as he might have done, he would have obliged Brown to recross the river and might perhaps have destroyed or paralyzed him; but Drum-

mond decided to join Riall. At five o'clock, July 25, the British army was nearly concentrated. The advance under Riall at Lundy's Lane numbered nine hundred and fifty rank-and-file, with the three field-pieces which had been in the battle of Chippawa, and either two or three six-pounders. Drummond was three miles below with eight hundred and fifteen rank-and-file, marching up the river; and Colonel Scott, of the One Hundred-and-Third Regiment, with twelve hundred and thirty rank-and-file and two more six-pound field-pieces, was a few miles behind Drummond. By nine o'clock in the evening the three corps, numbering three thousand rank-and-file, with eight field-pieces, were to unite at Lundy's Lane.

At a loss to decide on which bank the British generals meant to move, Brown waited until afternoon, and then, in great anxiety for the American side of the river, ordered Winfield Scott to march his brigade down the road toward Queenston on the Canadian side, in the hope of recalling the enemy from the American side by alarming him for the safety of his rear. Scott, always glad to be in motion, crossed Chippawa Bridge, with his brigade and Towson's battery, soon after five o'clock, and to his great surprise, in passing a house near the Falls, learned that a large body of British troops was in sight below. With his usual audacity he marched directly upon them, and reaching Lundy's Lane, deployed to the left in line of battle. The sun was setting at the end of a long, hot, midsummer day. About a mile to their right the Niagara River flowed through its chasm, and the spray of the cataract rose in the distance behind them.

At the first report that the American army was approaching, Riall ordered a retreat, and his advance was already in march from the field when Drummond arrived with the Eighty-Ninth Regiment and countermanded the order. Drummond then formed his line, numbering according to his report sixteen hundred men — the left resting on the high-road, his two twenty-four-pound brass field-pieces, two six-pounders, and a five-and-a-half-inch howitzer a little advanced in front of his center on the summit of the low hill, and his right stretching forward so as to overlap Scott's position in attacking. Lundy's Lane, at right angles with the river, ran close behind the British position. Hardly had he completed his formation, when, in his own words, 'the whole front was warmly and closely engaged.'

The battle of Lundy's Lane lasted five hours, and Drummond believed

the American force to be five thousand men. In truth, at no moment were two thousand American rank-and-file on the field. ‘The loss sustained by the enemy in this severe action,’ reported Drummond, ‘cannot be estimated at less than fifteen hundred men, including several hundred prisoners left in our hands.’ Drummond’s estimate of American losses, as of American numbers, was double the reality. Brown reported a total loss, certainly severe enough, of eight hundred and fifty-three men — one hundred and seventy-one killed, five hundred and seventy-two wounded, one hundred and ten missing. Drummond reported a total loss of eight hundred and seventy-eight men — eighty-four killed, five hundred and fifty-nine wounded, one hundred and ninety-three missing, and forty-two prisoners. On both sides the battle was murderous. Brown and Scott were both badly wounded, the latter so severely that he could not resume his command during the war. Drummond and Riall were also wounded. On both sides, but especially on the American, the loss in officers was very great.

The effect of the British artillery on Scott’s brigade, while daylight lasted, had been excessive, while at that period of the battle the British could have suffered comparatively little. The brigades of Ripley and Porter reported a loss of two hundred and fifty-eight men, killed, wounded, and missing. The three artillery companies suffered a loss of forty-five men, including Captain Ritchie. The total loss of eight hundred and fifty-three men was as nearly as possible one-third of the entire army, including the unengaged pickets and other details.

When Ripley, following the artillery, arrived in camp toward one o’clock in the morning, Brown sent for him, and gave him an order to return at daybreak to the battlefield with all the force he could collect, ‘and there to meet and beat the enemy if he again appeared.’ The order was impossible to execute. The whole force capable of fighting another battle did not exceed fifteen or sixteen hundred effectives, almost without officers, and exhausted by the night battle. The order was given at one o’clock in the morning; the army must employ the remainder of the night to reorganize its battalions and replace its officers, and was expected to march at four o’clock to regain a battlefield which Brown had felt himself unable to maintain at midnight, although he then occupied it, and held all the enemy’s artillery. The order was futile. Major Leavenworth of the Ninth Regiment, who though wounded commanded the first

brigade after the disability of Scott, Brady, Jesup, and McNeil, thought it ‘the most consummate folly to attempt to regain possession of the field of battle,’ and declared that every officer he met thought like himself.

Yet Ripley at dawn began to collect the troops, and after the inevitable delay caused by the disorganization, marched at nine o’clock, with about fifteen hundred men, to reconnoiter the enemy. At about the same time Drummond advanced a mile, and took position in order of battle near the Falls, his artillery in the road, supported by a column of infantry. A month earlier Drummond, like Riall, would have attacked, and with a force greater by one-half could hardly have failed to destroy Ripley’s shattered regiments; but Chippawa and Lundy’s Lane had already produced an effect on the British army. Drummond believed that the Americans numbered five thousand, and his own force in the ranks was about twenty-two hundred men. He allowed Ripley to retire unmolested, and remained at the Falls the whole day.

Ripley returned to camp at noon and made his report to Brown. The question requiring immediate decision was whether to maintain or abandon the line of the Chippawa River. Much could be said on both sides, and only officers on the spot could decide with certainty how the enemy could be placed under most disadvantage, and how the army could be saved from needless dangers. Ripley, cautious by nature, recommended a retreat to Fort Erie. With the assent, as he supposed, of Brown and Porter, Ripley immediately broke up the camp at Chippawa, and began the march to Fort Erie, sixteen miles in the rear.

The same evening, July 26, the army arrived at Fort Erie and camped. Brown was taken from Chippawa across the river to recover from his wound. Scott was also removed to safe quarters. Ripley was left with the remains of the army camped on a plain, outside the unfinished bastions of Fort Erie, where the destruction of his entire force was inevitable in case of a reverse. Ripley favored a withdrawal of the army to the American side; but Brown, from his sick-bed at Buffalo, rejected the idea of a retreat, and fortunately Drummond’s reinforcements arrived slowly. The worst result of the difference in opinion was to make Brown harsh toward Ripley, who — although his record was singular in showing only patient, excellent, and uniformly successful service — leaned toward caution, while Brown and Scott thought chiefly of fighting. The combina-

tion produced admirable results; but either officer alone might have failed.

Brown wrote, August 7, to the Secretary of War a report containing an improper implication, which he afterward withdrew, that Ripley was wanting either in courage or capacity. He also summoned Brigadier-General Gaines from Sackett's Harbor to command the army. During the week that elapsed before Gaines's arrival, the army, under Ripley's orders, worked energetically to entrench itself in lines behind Fort Erie: and after Gaines took command, the same work was continued without interruption or change of plan.

The result was chiefly decided by Drummond's errors. Had he followed Ripley closely, and had he attacked instantly on overtaking the retreating army at Fort Erie or elsewhere, he would have had the chances in his favor. Had he crossed the river and moved against Buffalo, he would have obliged Brown to order the instant evacuation of Fort Erie, and would have recovered all the British positions without the loss of a man. Drummond took neither course. He waited two days at Chippawa before he moved up the river within two miles of Fort Erie. About August 1, his reinforcements arrived — De Watteville's regiment from Kingston, and the Forty-First from Fort George — replacing his losses, and giving him three thousand one hundred and fifty rank-and-file; but he seemed still undecided what course to adopt. The battles of Chippawa and Lundy's Lane had given the British army respect for American troops, and Drummond hesitated to assault the unfinished works at Fort Erie, although he was fully one-half stronger in men than Gaines and Ripley, who had barely two thousand rank-and-file after obtaining such reinforcements as were at hand.

Drummond, having decided not to assault the lines of Fort Erie until he had made an impression on the works, next sent for guns of heavy caliber. Ten days were passed in opening trenches and constructing batteries. Gaines and Ripley employed the time in completing their defenses.

Drummond opened with six guns, August 13, and prepared for assault the following day. Drummond's general orders concluded by encouraging his men to consider their task easy: 'The Lieutenant-General most strongly recommends a free use of the bayonet. The enemy's force does not exceed fifteen hundred fit for duty, and those are represented as much dispirited.'

The British general underestimated Gaines's force, which probably contained at least two thousand rank-and-file fit for duty August 14, who, though possibly overworked and inclined to grumble, were ready to fight. Neither Gaines nor Ripley, nor any of the excellent officers of engineers and artillery who defended the lines of Fort Erie, were likely to allow themselves to be surprised or even approached by a force no greater than their own without ample resistance. They kept strong pickets far in advance of their lines, and were alive to every sign of attack. Soon after midnight of August 14, the fire of the British siege-guns slackened and ceased. At the same moment Gaines left his quarters and Ripley ordered his brigade to turn out. Both officers looked for an assault, and were not mistaken. At two o'clock the pickets fired and fell back, and at half-past two o'clock Colonel Fischer's advancing column moved against Snake Hill.

Of the whole rank-and-file engaged under Fischer, Scott, and Drummond, numbering two thousand one hundred and fifty men, if the British report was correct, seven hundred and eighty were officially reported among the casualties. The loss in officers was equally severe. Colonel Scott was killed before the lines. Lieutenant-Colonel Drummond was killed in the bastion. One major, ten captains, and fifteen lieutenants were killed, wounded, or missing. The total British loss was nine hundred and five among some twenty-four hundred engaged. The total American loss was eighty-four men.

The defeat so much weakened Drummond that he could no longer keep the field without support, and immediately sent for two more regiments — the Sixth and the Eighty-Second from Burlington and York — numbering about one thousand and forty rank-and-file, and making good his losses.

After the battle of August 15, the British continued to bombard Fort Erie. No great damage was done; but a shell exploded in Gaines's quarters August 29, injuring him severely and obliging him to relinquish command. Brown was still unfit for service, but was bent upon more fighting, and knew that Ripley preferred to abandon Fort Erie altogether. Accordingly he resumed command at Buffalo, September 2, and set himself to study the situation.

The situation was uncomfortable, but in no way perilous. The lines of Fort Erie were stronger than ever, and beyond danger of capture from

any British force that could be brought to assault them until Drummond should discover some new means of supplying troops with subsistence.

The regular force in Fort Erie numbered two thousand and thirty-three effectives September 4, and, though annoyed by the enemy's fire and worn by hard work, they were in both these respects better situated than the besiegers. Sooner or later the British would be obliged to retreat; and Brown was informed by deserters that Drummond was then contemplating withdrawal. Brown estimated the British force very loosely at three or four thousand; and it was in fact about the smaller number.

While Drummond struggled between the necessity of retreat and the difficulty of retreating, Brown was bent on attacking his lines. The plan was open to grave objections, and a council of war, September 9, discouraged the idea. Brown was much disappointed and irritated at the result of the council, especially with Ripley; but while giving the impression that he acquiesced, he brought over all the volunteers he could obtain. The number was never precisely given, but according to the official reports of General Peter B. Porter, who commanded them, and of General Brown himself, they did not exceed one thousand. With these, and an equal number of regular troops, Brown undertook to assault Drummond's entrenchments.

The nearest British line was about six hundred yards from old Fort Erie. From the first British battery on the Lake shore to Battery No. 3 in the woods, the line extended nearly half a mile, covered by abattis, but defended only by the brigade of troops on actual duty. If carried, the first line could not be held without capturing the second line, about fifty yards distant, and a third line, farther in the rear; while the main British force was encamped, for reasons of health and comfort, a mile behind, and was supposed to number at least three thousand six hundred men, or quite sufficient to recover their works. Brown professed no intention of fighting the British army. He proposed only 'to storm the batteries, destroy the cannon, and roughly handle the brigade upon duty, before those in reserve could be brought into action.'

Within half an hour after the first gun was fired, Porter and Miller had effected their junction within the British lines, had captured Battery No. 2, and moved on Battery No. 1, by the Lake shore. There the success ended. Battery No. 1 could not be carried. By that time the Royal

Scots, the Eighty-Ninth, the Sixth, and the Eighty-Second British Regiments had arrived — probably about one thousand men. A sharp engagement followed before Brown, after ordering his reserve under Ripley to the assistance of Porter and Miller, could disengage his troops.

The American forces were recalled by Brown and Miller as soon as their progress was stopped, and they retired without serious pursuit beyond the British lines. Their losses were very severe, numbering five hundred and eleven killed, wounded, and missing, or about one-fourth of their number. Among them were several of the best officers in the United States service, including Ripley, Wood, and Gibson. Drummond's loss was still more severe, numbering six hundred and nine, probably almost one man in three of the number engaged.

The next day Drummond issued a general order claiming a victory over an American force of 'not less than five thousand men, including militia'; but his situation, untenable before the sortie, became impossible after it. Three out of six battering cannon were disabled; he had lost six hundred men in battle, and his losses by sickness were becoming enormous. 'My effective numbers are reduced to considerably less than two thousand firelocks,' he reported, September 21. Immediately after the sortie, although reinforced by the Ninety-Seventh Regiment, he made his arrangements to retreat.

## CHAPTER NINETY-FOUR

### *Plattsburg, Bladensburg, and Baltimore*

WEAK AS WAS THE ARMY at Niagara, it was relatively stronger than the defense at any other threatened point. Sackett's Harbor contained only seven hundred effectives. On Lake Champlain, Major-General Izard tried to cover Plattsburg and Burlington with about five thousand regular troops. Already Armstrong knew that large British reinforcements from Wellington's army were on their way to Canada; and within a few weeks after the battle of Lundy's Lane eleven thousand of the best troops England ever put in the field were camped on or near the Sorel River, about to march against Izard's five thousand raw recruits.

They could march nowhere else. Not only was the line of Lake Champlain the natural and necessary path of an invading army, but the impossibility of supplying any large number of troops in Upper Canada made Lake Champlain the only region in which a large British force could exist. Sir George Prevost had reached the limit of his powers in defending Upper Canada. His commissary-general, W. H. Robinson, wrote to him, August 27, expressing 'the greatest alarm' on account of deficient supplies at Burlington Heights and Niagara, where, instead of nine thousand rations daily as he expected, he was required to furnish fourteen thousand, half of them to Indians. Much as Prevost wanted to attack Sackett's Harbor, and weak as he knew that post to be, he could not attempt it, although he had thirteen or fourteen thousand rank-and-file idle at Montreal.

Not only were military operations on a large scale impossible in Upper Canada, but for the opposite reason occupation of Lake Champlain by a British force was necessary. Northern New York and Vermont furnished two-thirds of the fresh beef consumed by the British armies. General Izard reported to Armstrong, July 31: 'From the St. Lawrence to the ocean, an open disregard prevails for the laws prohibiting intercourse with the enemy. The road to St. Regis is covered with droves of cattle, and the river with rafts, destined for the enemy. The revenue officers see these things, but acknowledge their inability to put a stop to such outrageous proceedings.'

The fear that Izard might at any moment take efficient measures to

cut off the British supplies gave double force to the reasons for occupying Lake Champlain, and forcing the military frontier back beyond Plattsburg and Burlington.

The political reasons were not less strong or less notorious than the military. England made no secret of her intention to rectify the Canadian frontier by lopping away such territory as she could conquer. August 26, Lieutenant-General Sir J. C. Sherbrooke, the British Governor of Nova Scotia, set sail from Halifax with a powerful fleet, carrying near two thousand troops, and arrived September 1 at the Penobscot. At his approach, the American garrison of the small battery at Castine blew up their fort and dispersed. In all Massachusetts, only about six hundred regular troops were to be found, and beyond the Penobscot, in September, 1814, hardly a full company could have been collected. The able-bodied, voting, male population of the counties of Kennebeck and Hancock, on either side of the Penobscot River, capable of bearing arms, was at that time about twelve thousand, on an estimate of one in five of the total population; but they offered no resistance to the British troops.

At Castine the British remained, while another detachment occupied Machias. All the Province of Maine east of the Penobscot was then in Sherbrooke's hands. The people formally submitted. One hundred miles of Massachusetts seacoast passed quietly under the dominion of the King of England. The male citizens were required to take, and took, the oath of allegiance to King George, and showed no unwillingness to remain permanently British subjects. After September 1, the United States Government had every reason to expect that Great Britain would require, as one condition of peace, a cession of the eastern and northern portions of Maine.

For this purpose the British needed also to occupy Lake Champlain, in order to make their conquests respectable. The British general might move on Plattsburg or on Burlington; but in order to maintain his position he must gain naval possession of the Lake.

Izard, after much study and inquiry, decided to erect his fortifications at Plattsburg. He preferred the task of taking a position which he could certainly hold, although it would not prevent the enemy from passing if they chose to leave it behind them. At Plattsburg, therefore, he collected his troops, amounting to five or six thousand men, and constructed strong forts, while Macdonough's fleet took position in the bay.

While thus occupied, Izard cast anxious glances westward, doubting whether, in case of a reverse at Niagara or Sackett's Harbor, he ought not to move on the St. Lawrence and threaten the British communications between Montreal and Kingston. The same idea occurred to Armstrong, who in a letter dated July 27 recommended Izard to carry it out.

Izard obeyed. His troops, numbering four thousand men, began their march August 29 for Sackett's Harbor, and for several weeks at the crisis of the campaign ceased to exist for military purposes. Within the fortifications at Plattsburg Izard left a miscellaneous body of three thousand three hundred men, without an organized battalion except four companies of the Sixth Regiment. Brigadier-General Alexander Macomb, who as senior officer was left in command, reported his force as not exceeding fifteen hundred effectives.

The left division of the British army in Canada numbered fifteen thousand seven hundred and seventy effectives, or, including officers, probably eighteen thousand men, without reckoning the Canadian militia, either incorporated or sedentary. Two lieutenant-generals and five major-generals were in command. Amply provided with artillery and horses, every brigade well equipped, they came fresh from a long service in which the troops had learned to regard themselves as invincible. Four brigades crossed the border, numbering not less than 'eleven thousand men with a proportionate and most excellent train of artillery, commanded in chief by Sir George Prevost, and under him by officers of the first distinction in the service.' A reserve of about five thousand men remained behind.

The fleet was almost as formidable as the army. As the force of the flotilla was reported to Prevost, it consisted of a thirty-six-gun ship, the *Confiance*; an eighteen-gun brig, the *Linnet*; two ten-gun sloops and twelve gunboats, carrying sixteen guns — all commanded by Captain Downie, of the Royal Navy, detached by Sir James Yeo for the purpose.

Such an expedition was regarded with unhesitating confidence, as able to go where it pleased within the region of Lake Champlain. About every other undertaking in America the British entertained doubts, but in regard to this affair they entertained none. Every movement of the British generals showed conviction of their irresistible strength.

The fleet felt the same certainty. According to the best Canadian authority, 'the strongest confidence prevailed in the superiority of the

British vessels, their weight of metal, and in the capacity and experience of their officers and crews.' Captain Downie informed Sir George Prevost's staff-officer that he considered himself with the *Confiance* alone a match for the whole American squadron.

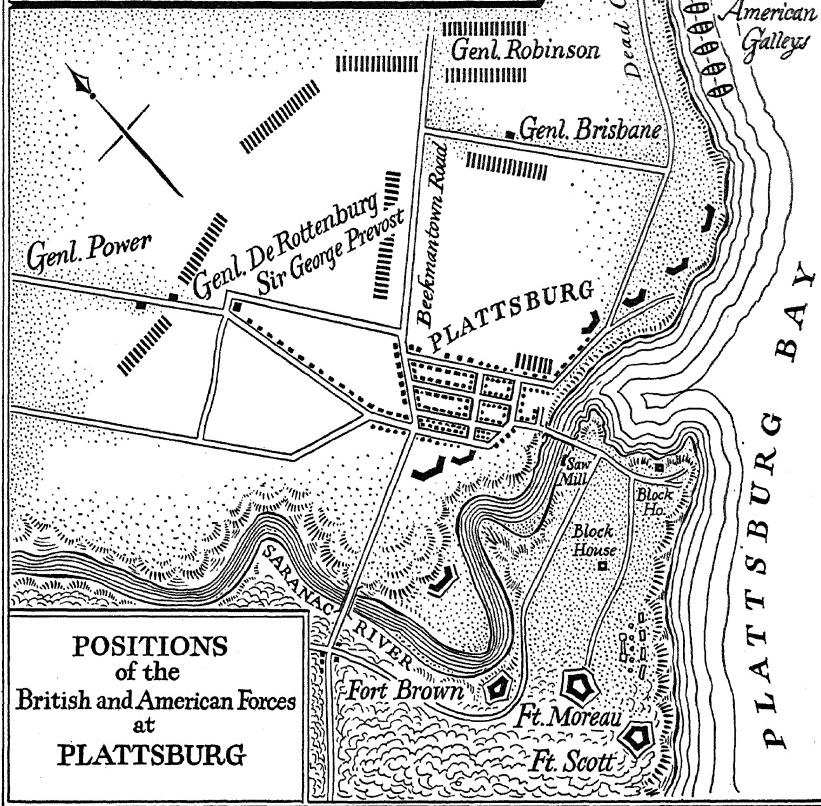
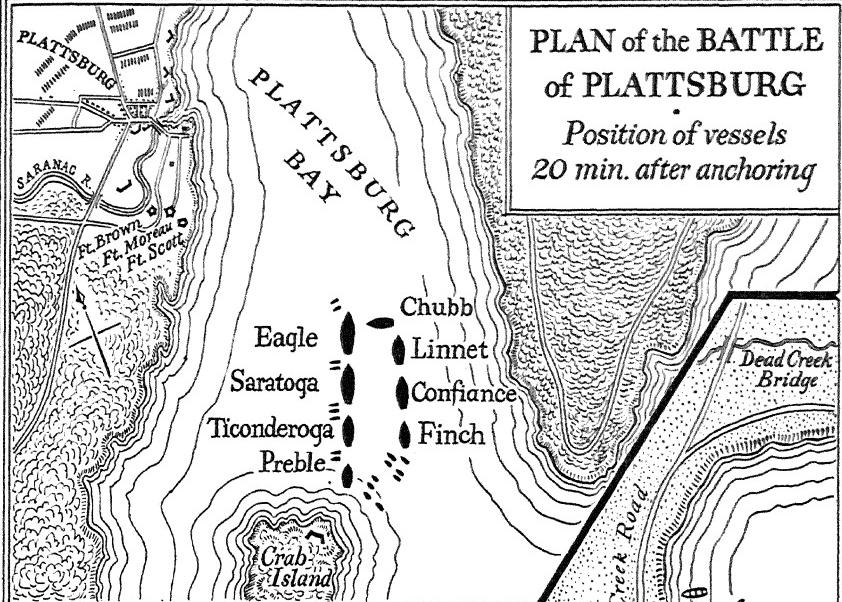
Macdonough's best ship was the *Saratoga*. Her dimensions were not recorded. Her regular complement of men was two hundred and ten, but she fought with two hundred and forty; she carried eight twenty-four-pounders, twelve thirty-two and six forty-two-pound carronades. Her inferiority to the *Confiance* at long range was immense, and within carronade range it was at least sufficient to satisfy Captain Downie. He believed that a few broadsides would dispose of the *Saratoga*, and that the other American vessels must then surrender.

Macdonough anchored his four large vessels across Plattsburg Bay, where it was a mile and a half wide, and placed his gunboats in their rear to fill the gaps. Cumberland Head on his left and front and Crab Island on his right obliged the enemy to enter in a line so narrow that Downie would find no room to anchor on his broadside out of carronade range, but must sail into the harbor under the raking fire of the American long guns and take a position within range of the American carronades. As the battle was to be fought at anchor, both squadrons would as a matter of course be anchored with springs on their cables; but Macdonough took the additional precaution of laying a kedge off each bow of the *Saratoga*, bringing their hawsers in on the two quarters, and letting them hang in bights under water. This arrangement enabled him to wind his ship at any time without fear of having his cables cut by the enemy's shot, and to use his larboard broadside if his starboard guns should be disabled. In effect, it doubled his fighting capacity.

Sir George Prevost and the army were ready to move before Downie's fleet could be prepared. Marching directly forward with the utmost confidence, Sir George turned the advanced American position at Dead Creek Bridge and drove away the gunboats that covered it. He reached the Saranac River September 6, and saw beyond it a ridge 'crowned with three strong redoubts and other field-works, and blockhouses armed with heavy ordnance, with their flotilla at anchor out of gunshot from the shore.'

Prevost properly halted, and declined to assault without the co-operation of the fleet. He waited five days impatiently for Downie to

PLAN of the BATTLE  
of PLATTSBURG  
*Position of vessels  
20 min. after anchoring*





appear. Not till seven o'clock on the morning of September 11 did the British flotilla sail round Cumberland Head. At the same time Prevost ordered his troops to cross the Saranac and storm the American works.

Downie intended, without regarding his superiority in long-range guns, to sail in and to lay the *Confiance* alongside of the *Saratoga*; but the wind was light and baffling, and his approach was so slow that he could not long bear the raking fire of the American guns. He was obliged to anchor at two cables' lengths, or three hundred yards, and begin action. With the same discipline that marked the movements of the troops on shore, Downie came to, anchored, made everything secure, and then poured a full broadside into Macdonough's ship. The *Saratoga* shivered under the shock of sixteen twenty-four-pound shot and canister charges striking her hull; almost one-fifth of her crew were disabled.

Early in the battle the British suffered a severe, and perhaps in the experience of this war a decisive, loss in their commander, Captain Downie, instantly killed by one of his own guns thrown off its carriage against him by a solid shot. Yet at the end of two hours' combat the British squadron was on the whole victorious, and the American on the point of capture. Macdonough's ship was exposed to the concentrated fire of the *Confiance* and *Linnet*, and his battery was soon silenced. The *Saratoga* could no longer use a gun on the engaged side, and the battle was nearly lost.

Then Macdonough's forethought changed the impending defeat into victory. His fire had nearly silenced the *Confiance*, and disregarding the *Linnet*, he ceased attention to the battle in order to direct the operation of winding ship. Little by little hauling the ship about, he opened on the *Confiance* with one gun after another of the fresh broadside, as they bore; and the *Confiance*, after trying in vain to effect the same operation, struck her colors. Then the British fleet was in the situation which Downie had anticipated for the Americans in the event of silencing the *Saratoga*. The three smaller vessels were obliged to surrender, and the gunboats alone escaped. The battle had lasted from quarter-past eight till quarter before eleven.

By land, the British attack was much less effective than by water. The troops were slow in reaching their positions and had time to make no decisive movement. The casualties showed that nothing like a serious engagement took place. The entire loss of the British army from Septem-

ber 6 to September 14 was officially reported as only thirty-seven killed and one hundred and fifty wounded, and of this loss a large part occurred previous to the battle of September 11. The entire American loss was thirty-seven killed and sixty-two wounded.

With needless precipitation, Prevost instantly retreated the next day to Champlain, sacrificing stores to a very great amount and losing many men by desertion. The army was cruelly mortified, and Prevost lost whatever military reputation he still preserved in Canada. In England the impression of disgrace was equally strong.

Meanwhile, Major-General Izard, by Armstrong's order, marched his four thousand men as far as possible from the points of attack. Starting from Champlain, August 29, the army reached Sackett's Harbor September 17, having marched about two hundred and eighty miles in twenty days. At Sackett's Harbor, Izard found no orders from the Government, for the Government at that time had ceased to perform its functions; but he received an earnest appeal from General Brown to succor Fort Erie. 'I will not conceal from you,' wrote Brown, September 10, 'that I consider the fate of this army very doubtful unless speedy relief is afforded.' Izard, who had no means of testing the correctness of this opinion, decided to follow Brown's wishes, and made, September 17, the necessary preparations. Violent storms prevented Chauncey from embarking the troops until September 21; but September 27 the troops reached Batavia, and Izard met Brown by appointment..

Until that moment Izard had enjoyed no chance of showing his abilities in the field, but at Niagara he saw before him a great opportunity. Drummond lay at Chippawa, with an army reduced by battle and sickness to about twenty-five hundred men. Izard commanded fifty-five hundred regular troops and eight hundred militia. He had time to capture or destroy Drummond's entire force before the winter should set in, and to gather the results of Brown's desperate fighting. Brown was eager for the attack, and Izard assented. October 13, the army moved on Chippawa, and stopped. October 16, Izard wrote to the War Department:

I have just learned by express from Sackett's Harbor that Commodore Chauncey with the whole of his fleet has retired into port, and is throwing up batteries for its protection. This defeats all the objects of the operations by land in this quarter. I may turn Chippawa, and should General

Drummond not retire, may succeed in giving him a good deal of trouble; but if he falls back on Fort George or Burlington Heights, every step I take in pursuit exposes me to be cut off, by the large reinforcements it is in the power of the enemy to throw in twenty-four hours upon my flank or rear.

In this state of mind, notwithstanding a successful skirmish, October 19, between Bissell's brigade and a strong detachment of the enemy, Izard made a decision which ruined his military reputation and destroyed his usefulness to the service. He reported to the Department, October 23:

On the twenty-first, finding that he [Drummond] still continued within his works, which he had been assiduously engaged in strengthening from the moment of our first appearance, the weather beginning to be severe, and a great quantity of our officers and men suffering from their continued fatigues and exposure, at twelve at noon I broke up my encampment, and marched to this ground [opposite Black Rock] in order to prepare winter quarters for the troops.

Nothing remained but to break up the army. Brown was sent at his own request to Sackett's Harbor, where the next fighting was expected. A division of the army went with him. The remainder were placed in winter quarters near Buffalo. Fort Erie was abandoned and blown up, November 5, and the frontier at Niagara relapsed into repose.

Drummond no sooner saw Fort Erie evacuated and his lines re-established, November 5, than he hurried on board ship with a part of his troops, and reached Kingston, November 10, where Sir George Prevost had already prepared for an attack on Sackett's Harbor as soon as supplies could be brought from Quebec to Kingston over the winter roads. Soon afterward, Sir George Prevost was recalled to England and a new commander-in-chief, Sir George Murray, supposed to be a man of higher capacity, was sent to take direction of the next campaign. Reinforcements continued to arrive. About twenty-seven thousand regular troops, including officers, were in Canada; a seventy-four-gun ship and a new frigate were launched at Kingston; and no one doubted that, with the spring, Sackett's Harbor would be formally besieged. Izard remained at Buffalo, doing nothing, and his only influence on the coming as on the past campaign was to leave the initiative to the enemy.

Armstrong's management of the Northern campaign caused severe

criticism; but his neglect of the city of Washington exhausted the public patience. For two years Washington stood unprotected; not a battery or a breastwork was to be found on the river bank except the old and untenable Fort Washington, or Warburton. A thousand determined men might reach the town in thirty-six hours and destroy it before any general alarm could be given. Yet no city was more easily protected than Washington, at that day, from attack on its eastern side; any good engineer could have thrown up works in a week that would have made approach by a small force impossible.

In truth, Armstrong, looking at the matter as a military critic, decided that the British, having no strategic object in capturing Washington, would not make the attempt. Being an indolent man, negligent of detail, he never took unnecessary trouble; and having no proper staff at Washington, he was without military advisers whose opinion he respected. The President and Monroe fretted at his indifference, the people of the District were impatient under it, and everyone except Armstrong was in constant terror of attack.

In June, letters arrived from Gallatin and Bayard in London which caused the President to call a Cabinet meeting. June 23 and 24, the Cabinet met and considered the diplomatic situation. The President proposed then for the first time to abandon impressment as a *sine qua non* of negotiation, and to approve a treaty that should be silent on the subject. Armstrong and Jones alone supported the idea at that time, but three days afterward, June 27, Monroe and Campbell acceded to it. The Cabinet then took the defenses of Washington in hand, and July 1 decided to organize a corps of defense from the militia of the District and the neighboring States. July 2, the first step toward efficient defense was taken by creating a new military district on the Potomac, with a military head of its own. Armstrong wished to transfer Brigadier-General Moses Porter from Norfolk, to command the new Potomac District; but the President selected Brigadier-General Winder, because his relationship to the Federalist Governor of Maryland was likely to make co-operation more effective.

Political appointments were not necessarily bad; but in appointing Winder to please the Governor of Maryland, Madison assumed the responsibility, in Armstrong's eyes, for the defense of Washington. Armstrong placed Winder instantly in command, and promptly issued the

orders arranged in Cabinet; but he left further measures to Winder, Monroe, and Madison.

Meanwhile, a British expedition under command of Major-General Robert Ross, a distinguished officer of the Peninsular Army, sailed from the Gironde, June 27, to Bermuda. Ross was instructed 'to effect a diversion on the coasts of the United States of America in favor of the army employed in the defense of Upper and Lower Canada.' The point of attack was to be decided by Vice-Admiral Cochrane, subject to the General's approval; but the force was not intended for 'any extended operation at a distance from the coast,' nor was Ross to hold permanent possession of any captured district.

Negroes were not to be encouraged to rise upon their masters and no slaves were to be taken away as slaves; but any Negro who should expose himself to vengeance by joining the expedition or lending it assistance might be enlisted in the black corps or carried away by the fleet.

Nothing in these orders warranted the destruction of private or public property, except such as might be capable of military uses. Ross was not authorized, and did not intend, to enter on a mere marauding expedition; but Cochrane was independent of Ross, and at about the time when Ross reached Bermuda, Cochrane received a letter from Sir George Prevost which gave an unexpected character to the Chesapeake expedition. A small body of American troops had crossed Lake Erie to Long Point, May 15, and destroyed the flour-mills, distilleries, and some private houses there. The raid was not authorized by the United States Government, and the officer commanding it was afterward court-martialed and censured; but Sir George Prevost, without waiting for explanations, wrote to Vice-Admiral Cochrane, June 2, suggesting that he should 'assist in inflicting that measure of retaliation which shall deter the enemy from a repetition of similar outrages.'

When Cochrane received this letter, he issued at Bermuda, July 18, orders to the ships under his command, from the St. Croix River to the St. Mary's, directing general retaliation. Cochrane wrote to Prevost that, 'as soon as these orders have been acted upon,' a copy would be sent to Washington for the information of the Executive Government.

Cochrane's retaliatory order was dated July 18, and Ross's transports arrived at Bermuda July 24. As soon as the troops were collected and stores put on board, Cochrane and Ross sailed, August 3, for Chesapeake

Bay. Three objects were within reach. The first and immediate aim was a flotilla of gunboats, commanded by Captain Joshua Barney, which had taken refuge in the Patuxent River, and was there blockaded. The next natural object of desire was Baltimore, on account of its shipping and prize-money. The third was Washington and Alexandria, on account of the navy yard and the vessels in the Potomac. Baltimore was the natural point of attack after destroying Barney's flotilla; but Cockburn, with a sailor's recklessness, urged a dash at Washington.

August 17, the squadron, commanded by Vice-Admiral Cochrane, moved twenty miles up the bay to the mouth of the Patuxent — a point about fifty miles distant from Annapolis on the north, and from Washington on the northwest. Having arrived there August 18, Cochrane wrote, or afterward antedated, an official letter to Secretary Monroe:

Having been called on by the Governor-General of the Canadas to aid him in carrying into effect measures of retaliation against the inhabitants of the United States for the wanton destruction committed by their army in Upper Canada, it has become imperiously my duty, conformably with the nature of the Governor-General's application, to issue to the naval force under my command an order to destroy and lay waste such towns and districts upon the coast as may be found assailable.

The notice was the more remarkable because Cochrane's order was issued only to the naval force. The army paid no attention to it. Ross's troops were landed at Benedict the next day, August 19; but neither there nor elsewhere did they destroy or lay waste towns or districts. They rather showed unusual respect for private property.

Through a thickly wooded region, where a hundred militiamen with axes and spades could have delayed their progress for days, the British army moved in a solitude apparently untenanted by human beings, till they reached Nottingham on the Patuxent — a deserted town, rich in growing crops and full barns.

At Nottingham the army passed a quiet night, and the next morning, Monday, August 22, lingered till eight o'clock, when it again advanced. Among the officers in the Eighty-Fifth Regiment was a lieutenant named Gleig, who wrote afterward a charming narrative of the campaign under the title, *A Subaltern in America*. He described the road as remarkably good, running for the most part through the heart of thick forests, which sheltered it from the rays of the sun. During the march the army was

startled by the distant sound of several heavy explosions. Barney had blown up his gunboats to prevent their capture. The British naval force had thus performed its part in the enterprise, and the army was next to take the lead.

'Having advanced within sixteen miles of Washington,' Ross officially reported, 'and ascertained the force of the enemy to be such as might authorize an attempt to carry his capital, I determined to make it, and accordingly put the troops in movement on the evening of the twenty-third.' More exactly, the troops moved at two o'clock in the afternoon, and marched about six miles on the road to Washington, when they struck American outposts at about five o'clock and saw a force posted on high ground about a mile in their front. As the British formed to attack, the American force disappeared, and the British army camped about nine miles from Washington by way of the navy-yard bridge over the Eastern Branch.

Thus, for five days, from August 18 to August 23, a British army, which though small was larger than any single body of American regulars then in the field, marched in a leisurely manner through a long-settled country, and met no show of resistance before coming within sight of the Capitol. Such an adventure resembled the stories of Cortéz and De Soto; and the conduct of the United States Government offered no contradiction to the resemblance.

News of the great fleet that appeared in the Patuxent August 17 reached Washington on the morning of Thursday, August 18, and set the town in commotion. In haste the President sent fresh militia requisitions to the neighboring States, and ordered out the militia and all the regular troops in Washington and its neighborhood. Winder was excessively busy, but did, according to his own account, nothing. Armstrong, at last alive to the situation, made excellent suggestions, but could furnish neither troops, means, nor military intelligence to carry them out; and the President could only call for help. The single step taken for defense was taken by the citizens, who held a meeting Saturday evening and offered at their own expense to erect works at Bladensburg. Winder accepted their offer. Armstrong detailed Colonel Wadsworth, the only engineer officer near the Department, to lay out the lines, and the citizens did such work as was possible in the time that remained.

After three days of confusion, a force was at last evolved. Probably

by Winder's order, although no such order was preserved, a corps of observation was marched across the navy-yard bridge toward the Patuxent, or drawn from Bladensburg, to a place called the Woodyard, twelve miles beyond the Eastern Branch. The force was not to be despised. Three hundred infantry regulars of different regiments, with one hundred and twenty light dragoons, formed the nucleus; two hundred and fifty Maryland militia, and about twelve hundred District volunteers or militia, with twelve six-pound field-pieces, composed a body of near two thousand men, from whom General Brown or Andrew Jackson would have got good service. Winder came out and took command Sunday evening, and Monroe, much exhausted, joined them that night.

There the men stood Monday, August 22, while the British army marched by them, within sight of their outposts, from Nottingham to Marlboro. Winder rode forward with his cavalry and watched all day the enemy's leisurely movements close in his front, but the idea of attack did not appear to enter his mind. 'A doubt at that time,' he said, 'was not entertained by anybody of the intention of the enemy to proceed direct to Washington.'

That evening the President and the members of the Cabinet rode out to the camp, and the next morning the President reviewed the army, which had been reinforced by Commodore Barney with four hundred sailors, the crews of the burned gunboats. Winder then had twenty-five hundred men, of whom near a thousand were regulars, or sailors even better fighting troops than ordinary regulars. Such a force vigorously led was sufficient to give Ross's army a sharp check, and at that moment Ross was still hesitating whether to attack Washington. The loss of a few hundred men might have turned the scale at any moment during Tuesday, August 23; but Winder neither fought nor retreated, but once more passed the day on scout. At noon he rode with a troop of cavalry toward Marlboro. Satisfied that the enemy was not in motion and would not move that day, he started at one o'clock for Bladensburg, leaving his army to itself. He wished to bring up a brigade of militia from Bladensburg.

Winder had ridden about five miles when the British at two o'clock suddenly broke up their camp and marched directly on the Old Fields. The American army hastily formed in line and sent off its baggage to Washington. Winder was summoned back in haste, and arrived on the

field at five o'clock as the British appeared. He ordered a retreat. Every military reason required a retreat to Bladensburg. Winder directed a retreat on Washington by the navy-yard bridge.

The whole eastern side of Washington was covered by a broad estuary called the Eastern Branch of the Potomac, bridged only at two points, and impassable, even by pontoons, without ample warning. From the Potomac River to Bladensburg, a distance of about seven miles, the city was effectually protected. Bladensburg made the point of a right angle. There the Baltimore road entered the city as by a pass; for beyond, to the west, no general would venture to enter, leaving an enemy at Bladensburg in his rear. Roads were wanting, and the country was difficult. Through Bladensburg the attacking army must come; to Bladensburg Winder must go, unless he meant to retreat to Georgetown, or to recross the Eastern Branch in the enemy's rear. Monroe notified Serurier Monday evening that the battle would be fought at Bladensburg. Secretary Jones wrote to Commodore Rodgers, Tuesday morning, that the British would probably 'advance today toward Bladensburg.' Everyone looked instinctively to that spot, yet Winder to the last instant persisted in watching the navy-yard bridge.

No sooner did Winder receive intelligence at ten o'clock Wednesday morning that the British were in march to Bladensburg than in the utmost haste he started for the same point, preceded by Monroe and followed by the President and the rest of the Cabinet and the troops. Barney's sailors and their guns would have been left behind to guard the navy-yard bridge had Secretary Jones not yielded to Barney's vigorous though disrespectful remonstrances, and allowed him to follow.

In a long line the various corps, with their military and civil commanders, streamed toward Bladensburg, racing with the British, ten miles away, to arrive first on the field of battle. Monroe was earliest on the ground. Between eleven and twelve o'clock he reached the spot where hills slope gently toward the Eastern Branch a mile or more in broad incline, the little straggling town of Bladensburg opposite, beyond a shallow stream, and hills and woods in the distance. Several militia corps were already camped on the ground, which had been from the first designated as the point of concentration. A Baltimore brigade, more than two thousand strong, had arrived there thirty-six hours before. Some Maryland regiments arrived at the same time with Monroe. About

three thousand men were then on the field, and their officers were endeavoring to form them in line of battle.

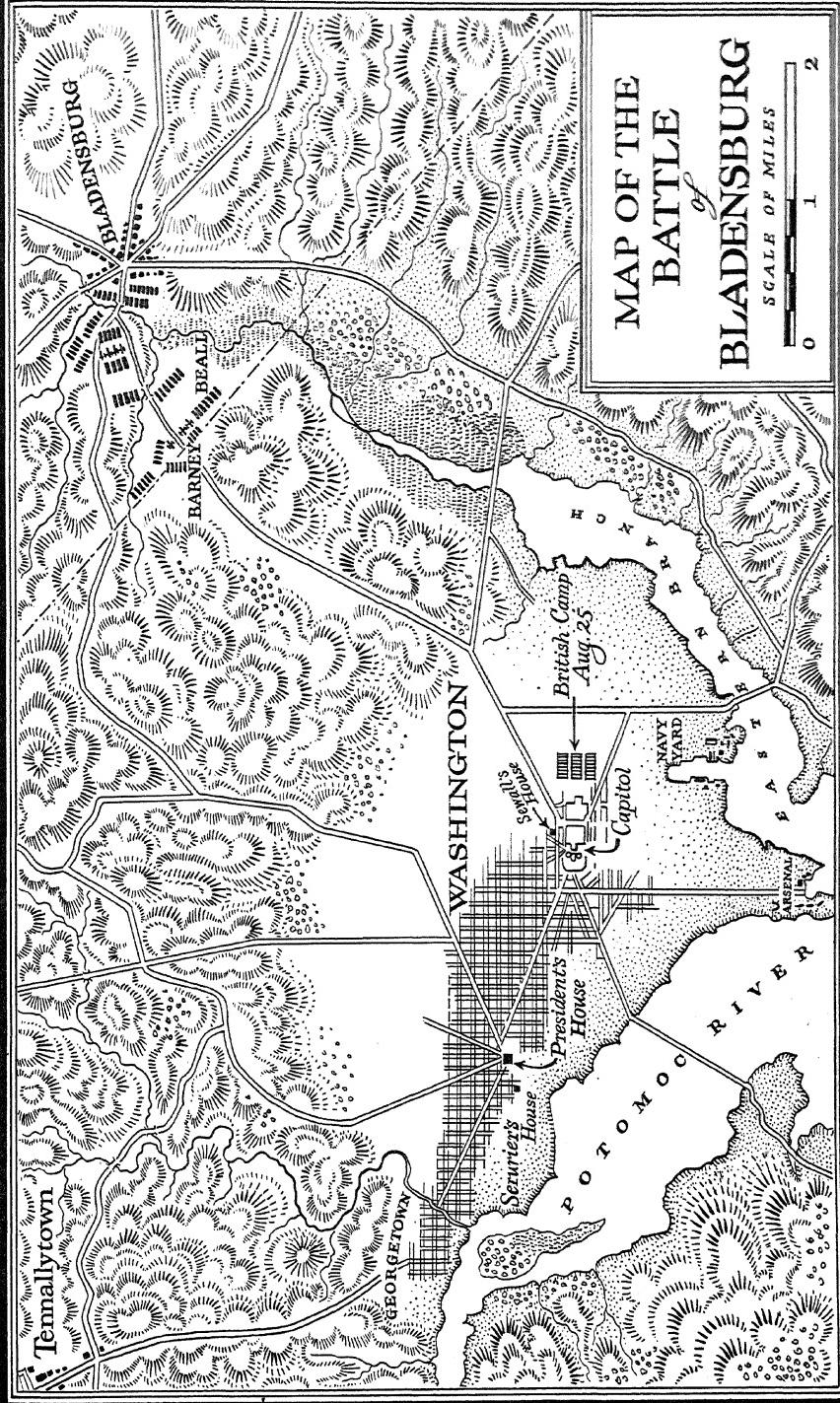
Much the larger portion of the American force arrived on the ground when the enemy was in sight, and were hastily drawn up in line wherever they could be placed. They had no cover. Colonel Wadsworth's entrenchments were not used, except in the case of one field-work which enfiladed the bridge at close range, where field-pieces were placed. Although some seven thousand men were present, nothing deserving the name of an army existed. 'A few companies only,' said the subaltern, 'perhaps two or at the most three battalions, wearing the blue jacket which the Americans have borrowed from the French, presented some appearance of regular troops. The rest seemed country people, who would have been much more appropriately employed in attending to their agricultural occupations than in standing with muskets in their hands on the brow of a bare green hill.' Heterogeneous as the force was, it would have been sufficient had it enjoyed the advantage of a commander.

The British light brigade, some twelve or fifteen hundred men, under Colonel Thornton of the Eighty-Fifth Regiment, without waiting for the rear division, dashed across the bridge and were met by a discharge of artillery and musketry directly in their face. Checked for an instant, they pressed on, crossed the bridge or waded the stream, and spread to the right and left, while their rockets flew into the American lines. Almost instantly a portion of the American line gave way; but the rest stood firm, and drove the British skirmishers back under a heavy fire to the cover of the bank with its trees and shrubs. Not until a fresh British regiment, moving well to the right, forded the stream and threatened to turn the American left, did the rout begin. Even then several strong corps stood steady, and in good order retired by the road that led to the Capitol; but the mass, struck by panic, streamed westward toward Georgetown and Rockville.

Meanwhile, Barney's sailors, though on the run, could not reach the field in time for the attack and halted on the hillside, about a mile from Bladensburg, at a spot just outside the District line. The rout had then begun, but Barney put his five pieces in position and waited for the enemy. Four hundred men against four thousand were odds too great even for sailors. Such a battle could not long continue. The British turned Barney's right, and, getting into the rear, fired down upon the sailors.

MAP OF THE  
BATTLE  
*of*  
BLADENSBURG

SCALE OF MILES  
0 1 2





Barney held his position nearly half an hour, and then, being severely wounded, ordered his officers to leave him where he lay. There he was taken by the British advance and carried to their hospital at Bladensburg. The British officers, admiring his gallantry, treated him, he said, 'with the most marked attention, respect, and politeness as if I was a brother' — as though to show their opinion that Barney instead of Winder should have led the American army.

After the sailors retired, at about four o'clock, the British stopped two hours to rest. Their victory, easy as it seemed, was not cheaply bought. General Ross officially reported sixty-four killed and one hundred and eighty-five wounded. A loss of two hundred and fifty men among fifteen hundred said to be engaged was not small. The Americans reported only twenty-six killed and fifty-one wounded.

At six o'clock, after a rest of two hours, the British troops resumed their march; but night fell before they reached the first houses of the town. As Ross and Cockburn, with a few officers, advanced before the troops, some men, supposed to have been Barney's sailors, fired on the party from the house formerly occupied by Gallatin, at the northeast corner of Capitol Square. Ross's horse was killed, and the General ordered the house to be burned, which was done. The army did not enter the town, but camped at eight o'clock a quarter of a mile east of the Capitol. Troops were then detailed to burn the Capitol, and as the great building burst into flames, Ross and Cockburn, with about two hundred men, marched silently in the darkness to the White House and set fire to it. At the same time Commodore Tingey, by order of Secretary Jones, set fire to the navy yard and the vessels in the Eastern Branch. Before midnight the flames of three great conflagrations made the whole country light, and from the distant hills of Maryland and Virginia the flying President and Cabinet caught glimpses of the ruin their incompetence had caused.

While Ross and Cockburn were hastily burning the White House and the department buildings, anxious only to escape, and never sending more than two hundred soldiers beyond Capitol Square, the President, his Cabinet, his generals, and his army were performing movements at which even the American people, though outraged and exasperated beyond endurance, could not but laugh.

The President, after riding over the battlefield until the action began, remarked to Monroe and Armstrong that 'it would be now proper for us

to retire in the rear, leaving the military movement to military men,' which they did. A moment afterward the left of the line gave way, and the panic-stricken militia poured along the road leading westward toward the point which in later times became known as the Soldiers' Home. The President retired with them, 'continuing to move slowly toward the city,' according to Monroe, in company with Attorney-General Rush. The slowness of movement, on which Monroe seemed to lay stress, was compensated by steadiness. Before six o'clock he crossed the Potomac in a boat from the White House grounds, and started by carriage westward, apparently intending to join his wife and accompany her to his residence at Montpelier in Loudoun County, adjoining Frederick County, on the south side of the Potomac. Secretary Jones, Attorney-General Rush, and one or two other gentlemen accompanied him.

The next morning, August 25, the President traveled about six miles and joined his wife at an inn on the same road, subjected to no little discomfort and some insult from fugitives who thought themselves betrayed. Although far beyond reach of the British troops and some twenty miles from their camp, the panic was still so great as to cause an alarm on the following night which drove Madison from his bed for refuge in the Virginia woods, at the time when Ross's army, more than twenty miles distant, was marching at the utmost speed in the opposite direction.

Although ridicule without end was showered on the President and the other civilians, their conduct was on the whole creditable to their courage and character; but of the commanding general no kind word could be said. Neither William Hull, Alexander Smyth, Dearborn, Wilkinson, nor Winchester showed such incapacity as Winder either to organize, fortify, fight, or escape. When he might have prepared defenses, he acted as scout; when he might have fought, he still scouted; when he retreated, he retreated in the wrong direction; when he fought, he thought only of retreat; and whether scouting, retreating, or fighting, he never betrayed an idea. In the brief moment of his preparations on the field at Bladensburg, he found time to give the characteristic order to his artillery: 'When you retreat, take notice that you must retreat by the Georgetown road.'

From the beginning to the end of the campaign, Winder showed no military quality. In other respects his conduct tallied with his behavior in the field. He lost no opportunity of throwing responsibility on the

President and on his troops, and he so far succeeded as to save himself from public anger by encouraging the idea that the President and the Cabinet had directed the campaign. Universal as that belief was, and continued to be, it was without foundation. While Winder courted advice from every quarter, and threw on the President at every instant the responsibility for every movement, neither the President nor the Cabinet showed a disposition to interfere with his authority in any way except to give the support he asked. Under the strongest temptation they abstained even from criticism.

The citizens, unable to punish the President, were rabid against Armstrong. No one could deny that they had reason for their anger, although the blame for their misfortunes was so evenly distributed between every officer and every branch of Government that a single victim could not justly be selected for punishment.

All the President's recorded acts and conversation for months after the capture of Washington implied that he was greatly shaken by that disaster. He showed his prostration by helplessness. He allowed Monroe for the first time to control him; but he did not dismiss Armstrong. The President described to the Secretary the violent prejudices which existed in the city against the Administration, and especially against himself and the Secretary of War. 'Before his arrival there was less difficulty, as Mr. Monroe, who was very acceptable to them, had, as on preceding occasions of his absence, though very reluctantly on this, been the medium for the functions of Secretary of War'; but since Armstrong had returned, something must be done.

Armstrong behaved with dignity and with his usual pride; but he understood, if Madison did not, the necessary consequences of his retirement, and on reaching Baltimore sent his resignation to the President. At the same time he announced it to the public in a letter, dated September 3, containing comments on the weakness of Madison's conduct calculated to close their relations.

While Monroe in private communications with Madison treated Armstrong's retirement as a 'removal,' due to his 'incompetency or misconduct,' and Madison apparently acquiesced in that view, in public Madison seemed inclined to convey the idea that Armstrong was not removed or meant to be removed from office, but rather deserted it. Whichever view was correct, Madison certainly dreaded the political effect of ap-

pearing to remove Armstrong; and while he gave to Monroe the appointment of Secretary of War, he wrote September 29, to Governor Tompkins of New York, offering him the State Department.

Governor Tompkins declined the offer. Apart from the great need of his services as Governor, the experience of Northern men in Virginia Cabinets was not calculated to encourage any aspirant to the Presidency in seeking the position. Monroe remained Secretary of State as well as Secretary of War. As Secretary of State he had little or nothing to do, which was partly the cause of his activity in military matters; but as Secretary of War he was obliged to undertake a task beyond the powers of any man.

During an entire month after the appearance of the British in the Patuxent, the United States Government performed few or none of its functions. The war on the frontiers was conducted without orders from Washington. Every energy of the Government was concentrated on its own immediate dangers, as though Washington were a beleaguered fortress. Slowly the tide of war ebbed from the Potomac and Chesapeake, and not until it had wholly subsided could men cease to dread its possible return.

Captain Gordon's squadron began its descent of the river September 1, greatly annoyed by batteries erected on the banks by Commodore Rodgers, Perry, and Porter, who were sent from Baltimore, by order of Secretary Jones, for the purpose. Not until September 6 did Captain Gordon escape from his perilous position and rejoin the fleet. Meanwhile, the shores of Chesapeake Bay continued to be ravaged with all the severity threatened by Cochrane. War was commonly accompanied by destruction, but the war in the Chesapeake was remarkable for the personal share taken by the highest officers, especially by Cockburn and Ross, in directing the actual operation of setting fire to private and public property.

Baltimore should have been first attacked, but Cockburn's influence by diverting Ross to Washington gave the larger city time to prepare its defense. The citizens themselves, headed by the mayor, took charge of the preparations; and their first act, contrary to the course pursued by Armstrong and Winder at Washington, was to construct entrenchments round the city, and to erect semi-circular batteries at a number of points, mounted with cannon and connected by a line of works. The batteries

were manned by sailors, commanded by officers of the navy. The harbor was protected by Fort McHenry, small but capable of defense, and occupied by a strong force of regular troops, sailors, and volunteer artillerists numbering about one thousand.

These precautions made the capture of Baltimore impossible by such a force as had taken Washington, even though aided by the fleet. The precise number of troops present in the city, according to the official return for September 10, was twelve thousand nine hundred and ninety-one men present for duty, with eight hundred and ninety-seven officers. The force was ample to man the works, but the fortifications chiefly decided the result. No army on either side during the war succeeded in storming works in face, except by surprise; and to turn the works of Baltimore a larger army was required than Ross had at his command.

Ross's troops were all landed at daylight on the northern point, and were in motion by eight o'clock September 12, without firing a shot. Their numbers were differently given by British authorities — one reporting them at three thousand two hundred and seventy rank-and-file; the other reckoning them at upward of five thousand. Ross made on the Patapsco no such leisurely movements as on the Patuxent, but began his march at once, and proceeded about five miles without meeting resistance.

General Smith, on receiving the intelligence September 11, detached a brigade of Baltimore militia, under General Stricker, to check the enemy if possible, and Stricker advanced that evening about seven miles toward North Point. His force numbered about three thousand two hundred men. As the British advance approached, the American outposts fell back, and General Stricker sent forward some four hundred men, partly rifles, as skirmishers. The British advanced guard coming up, the skirmishing party fired, but was soon driven back. Ross and Cockburn were walking together with the advance, and after the firing ceased, Ross turned back alone to order up the light companies in anticipation of more serious resistance. On his way he was shot through the breast from the wood, and fell in the road, where he lay till he was found by the light companies hurrying forward to the scene of the firing. He barely spoke afterward.

Colonel Brooke immediately took command, and the advance was not checked; but the loss was not the less serious. When Brooke saw Strick-

er's line stretching across the field, he did not dash at them at once with the light brigade as Thornton had attacked the larger force and stronger position at Bladensburg, but deployed the whole army and formed a regular order of battle. Although his force easily overlapped and outflanked the American, the engagement that followed was sharp, and the Americans were not routed without considerable loss to the British, who reported forty-six killed and two hundred and seventy-three wounded — or more than they reported at Bladensburg.

This spirited little battle detained the British so long that they bivouacked on the field, and passed the night in a drenching rain, resuming their march the next morning, September 13, when they found the roads obstructed, and were obliged to move so slowly that evening arrived before they came in sight of Baltimore. When at last they saw on the distant heights the long line of entrenchments that surrounded Baltimore on the side of their approach, they stopped short. Colonel Brooke had gone forward with the advance, and was engaged all day, at about a mile and a half distance, in studying the American lines. He made arrangements for a night attack, hoping to avoid the effects of the American artillery, and then waited for the fleet to support him.

The fleet all day bombarded the forts and batteries that covered the entrance to the harbor. The firing ceased toward midnight, and Admiral Cochrane sent word to Colonel Brooke that he could do no more. 'Under these circumstances,' reported Colonel Brooke, 'and keeping in view your Lordship's instructions, it was agreed between the Vice-Admiral and myself that the capture of the town would not have been a sufficient equivalent to the loss which might probably be sustained in storming the heights.'

Sir George Prevost at Plattsburg only two days before, with three times the number of troops and a much smaller number of opponents, came to the same conclusion. That both officers were probably wise was shown by the experience of Lieutenant-General Drummond, a month earlier, in attempting to storm the lines of Fort Erie. Brooke and Prevost followed the same course in another respect, for Brooke withdrew his army so rapidly that at noon of September 14 it had already passed the battlefield of two days before, and in another day the whole force was re-embarked.

## CHAPTER NINETY-FIVE

### *Exhaustion*

AFTER BALANCING GAINS AND LOSSES, the result of the campaign favored Great Britain by the amount of plunder which the navy obtained in Alexandria, and by the posts which Governor Sherbrooke occupied between the Penobscot and the Passamaquoddy in Maine. Considering the effort made and the waste of money, the result was a total disappointment to the British people; but even these advantages on land could not be regarded as secure until the British navy and mercantile marine had summed up their profits and losses on the ocean.

At the beginning of the year 1814, the American navy had almost disappeared. Porter in the *Essex* still annoyed British interests in the Pacific; but of the five large frigates only the *President* was at sea.

The *President* regained New York February 18, and was blockaded during the rest of the year. The corvette *Adams*, twenty-eight guns, ran the blockade of Chesapeake Bay January 18, and cruised until August 17, making nine prizes and several narrow escapes before striking on the Isle of Haut and taking refuge in the Penobscot as the British forces occupied Castine. Her fate was the same she would have met had she remained in Washington, where a week earlier the new forty-four-gun frigate *Columbia* and the new twenty-two-gun sloop-of-war *Argus* were burned to prevent them from falling prize to the British army.

This short abstract accounted for all the frigates except the *Essex*, whose fortune was no happier than that of the larger ships. October 27, 1812, the *Essex*, Captain David Porter, left the Delaware, intending to meet Bainbridge and form part of a squadron under his command. Failing to meet Bainbridge, though constantly near him, Porter at last decided to sail southward; and when Bainbridge in the *Constitution* reached Boston February 27, 1813, the *Essex* had already passed Cape Horn, and was running up the western coast of South America to Valparaiso.

At Valparaiso Porter arrived March 14, 1813, to the consternation of commerce. Chili had recently asserted independence of Spain, and as yet no English war-vessels were stationed in the Pacific. The chief British interest was the whale fishery which centered in the Galapagos Islands — a group lying under the Equator, about a thousand miles

from Panama. Although the influence of England was supreme, on account of her naval power, her commerce, and her political alliance with the Spanish people, and although Porter had neither a harbor of his own nor the support of a diplomatic officer on the Pacific, he had nothing to fear. The *Essex* tarried only for supplies, and soon sailed for the Galapagos Islands. There she arrived in April, 1813, and in the course of the summer captured all the British whalers known to be in those seas. These were twelve in number, and after sending some of them away, Porter still had a fleet of five armed ships besides his own, and nothing more to do.

The *Essex* had then been a year at sea, and needed repairs. Porter determined to take his entire fleet of six vessels about three thousand miles to the Marquesas Islands — as though to make a voyage of discovery or to emulate the mutineers of the *Bounty*. The squadron sailed three weeks over the southern seas, until, October 23, the Marquesas Islands were sighted. There Porter remained seven weeks, amusing himself and his crew by intervention in native Marquesan politics, ending in his conquest of the principal tribes, and taking possession of the chief island in the name of his Government. That he should have brought away his whole crew after such relaxation, without desertion, was surprising. The men were for a time in a state of mutiny on being ordered to sea; but they did not desert, and the squadron sailed, December 12, 1813, for Valparaiso.

Porter would have done better to sail for the China seas or the Indian Ocean. He knew that British war-vessels were searching for him, and that Valparaiso was the spot where he would be directly in their way. He arrived February 3, and five days afterward two British vessels of war sailed into the harbor, making directly for the *Essex* with the appearance of intending to attack and board her. The crew of the *Essex* stood at quarters ready to fire as the larger ship ran close alongside, until her yards crossed those of the *Essex*, and Porter probably regretted to the end of his life that he did not seize the opportunity his enemy gave him; but the British captain, from his quarter-deck only a few feet away, protested that the closeness of his approach was an accident, and that he intended no attack. The moment quickly passed, and then Porter found himself overmatched.

Captain Hillyar of the *Phoebe* made no mistakes. During an entire

month he blockaded the *Essex* with his two vessels, acting with extreme caution. At last Porter determined to run out, trusting to a chase to separate the blockading cruisers; and March 28, 1814, with a strong southerly wind, he got under way. As he rounded the outermost point a violent squall carried away his maintopmast. The loss threw on Porter a sudden emergency and a difficult, instantaneous decision. He decided to return to harbor. A young midshipman, David Farragut, who made his first cruise in the *Essex*, gave his high authority in after years to the opinion that Porter's decision was wrong. 'Being greatly superior in sailing powers,' said Farragut, 'we should have borne up, and run before the wind.' The chance of outsailing the *Phoebe*, or separating her from her consort, was better than that of regaining the anchorage.

The wind did not allow of a return to port, and the *Essex* was run into a small bay three miles from Valparaiso, and anchored within pistol-shot of the shore. There Hillyar had her wholly at his mercy. The *Phoebe* kept her distance, throwing thirteen eighteen-pound shot into the *Essex* every five or ten minutes, until the *Essex* was cut to pieces and her decks were shambles.

The loss of the *Essex*, like the loss of the *Chesapeake* and *Argus*, was unnecessary. Porter need not have gone to Valparaiso, or might have tried to run out at night, or might have fought, even after the loss of his maintopmast, under less disadvantage. The disaster completed the unfortunate record of the frigates for the year. They made some sixteen prizes and busied many British cruisers, but won no victories and suffered one bloody defeat.

After November 1 the United States Government had not a ship at sea. In port, three seventy-fours were building, and five forty-fours were building or blockaded. Three thirty-six-gun frigates were laid up or blockaded. Four sloops-of-war were also in port, the *Peacock* having just returned from her long cruise. Such a result could not be called satisfactory. The few war-vessels that existed proved rather what the Government might have done than what the British had to fear from any actual or probable American navy. The result of private enterprise showed also how much more might easily have been done by Government.

The year 1814 was marked by only one great and perhaps decisive success on either side, except Macdonough's victory. This single success was privateering. Owners, captains, and crews had then learned to build

and sail their vessels and to hunt their prey with extraordinary skill. A few rich prizes stimulated the building of new vessels as the old were captured, and the shipyards turned them out as rapidly as they were wanted. In the neighborhood of Boston, in the summer of 1814, three companion ships were built — the *Reindeer*, *Aron*, and *Blakeley*; and of these the *Reindeer* was said to have been finished in thirty-five working days, and all three vessels were at sea in the following winter. No blockade short of actual siege could prevent such craft from running out and in. Scores of them were constantly on the ocean.

On the Atlantic privateers swarmed. British merchantmen were captured, recaptured, and captured again, until they despaired of ever reaching port. One British master, who was three times taken and as often retaken, reported that he had seen ten American privateers crossing his course. A letter from Halifax printed in the London *Times* of December 19 said: ‘There are privateers off this harbor which plunder every vessel coming in or going out, notwithstanding we have three line-of-battle ships, six frigates, and four sloops here.’ The West Indies and the Canaries were haunted by privateers. The quasi-blockade of the British coasts which American cruisers maintained in 1813 became a real and serious blockade in 1814. Few days passed without bringing news of some inroad into British waters, until the Thames itself seemed hardly safe.

As the announcement of these annoyances, recurring day after day, became a practice of the press, the public began to grumble in louder and louder tones. ‘That the whole coast of Ireland, from Wexford round by Cape Clear to Carrickfergus,’ said the *Morning Chronicle* of August 31, ‘should have been for above a month under the unresisted dominion of a few petty “fly-by-nights” from the blockaded ports of the United States, is a grievance equally intolerable and disgraceful.’ The Administration mouthpiece, the *Courier*, admitted, August 22, that five brigs had been taken in two days between the Smalls and the Tuskar, and that insurance on vessels trading between Ireland and England had practically ceased. The *Annual Register* for 1814 recorded, as ‘a most mortifying reflection,’ that with a navy of nearly a thousand ships of various sizes, and while at peace with all Europe, ‘it was not safe for a vessel to sail without convoy from one part of the English or Irish Channel to another.’ Such insecurity had not been known in the recent wars.

The merchants showed that a great change had come over their minds since they incited or permitted the Tories to issue the Impressment Proclamation and the Orders in Council seven years before. More than any other class of persons, the shipowners and West India merchants were responsible for the temper which caused the war, and they were first to admit their punishment. At the Liverpool meeting, where Mr. Gladstone, who took the chair, began by declaring that some ports, particularly Milford, were under actual blockade, a strong address was voted; and at a very numerous meeting of merchants, manufacturers, shipowners, and underwriters at Glasgow, September 7, the Lord Provost presiding, resolutions were unanimously passed:

That the number of American privateers with which our channels have been infested, the audacity with which they have approached our coasts, and the success with which their enterprise has been attended, have proved injurious to our commerce, humbling to our pride, and discreditable to the directors of the naval power of the British nation, whose flag till of late waved over every sea and triumphed over every rival.

That there is reason to believe, in the short space of twenty-four months, above eight hundred vessels have been captured by the Power whose maritime strength we have hitherto impolitically held in contempt.

The war was nearly at an end, and had effected every possible purpose for the United States, when such language was adopted by the chief commercial interests of Great Britain. Yet the Glasgow meeting expressed only a part of the common feeling. The rates of insurance told the whole story. The press averred that in August and September underwriters at Lloyds' could scarcely be induced to insure at any rate of premium, and that for the first time in history a rate of thirteen per cent had been paid on risks to cross the Irish Channel. Lloyds' list then showed eight hundred and twenty-five prizes lost to the Americans, and their value seemed to increase rather than diminish.

Undoubtedly the British cruisers caught privateers by dozens, and were as successful in the performance of their duties as ever they had been in any war in Europe. Their blockade of American ports was real and ruinous, and nothing pretended to resist them. Yet after catching scores of swift cruisers, they saw scores of faster and better vessels issue from the blockaded ports and harry British commerce in every sea. Scolded by the press, worried by the Admiralty, and mortified by their own want of

success, the British navy was obliged to hear language altogether strange to its experience.

The American cruisers daily enter in among our convoys [said the *Times* of February 11, 1815], seize prizes in sight of those that should afford protection, and if pursued 'put on their sea-wings' and laugh at the clumsy English pursuers. To what is this owing? Cannot we build ships?... It must indeed be encouraging to Mr. Madison to read the logs of his cruisers. If they fight, they are sure to conquer; if they fly, they are sure to escape.

In the tempest of war that raged over land and ocean during the months of August and September, 1814, bystanders could not trust their own judgment of the future; yet shrewd observers, little affected either by emotion or by interest, inclined to the belief that the United States Government was near exhaustion. The immediate military danger on Lake Champlain was escaped and Baltimore was saved; but the symptoms of approaching failure in government were not to be mistaken, and the capture of Washington, which was intended to hurry the collapse, produced its intended effect.

From the first day of the war the two instruments necessary for military success were wanting to Madison — money and men. After three campaigns, the time came when both these wants must be supplied or the National Government must devolve its duties on the States. When the President, preparing his Annual Message, asked his Cabinet officers what were the prospects of supplying money and men for another campaign, he received answers discouraging in the extreme.

First, in regard to money. In July, Secretary Campbell advertised a second loan, of only six million dollars. He obtained but two and a half millions at eighty. His acceptance of this trifling sum obliged him to give the same terms to the contractors who had taken the nine millions subscribed in the spring at eighty-eight. From both loans the Treasury could expect to obtain only \$10,400,000. The authorized loan was twenty-five millions. The Secretary could suggest no expedient, except Treasury notes, for filling the deficit.

Bad as this failure was — though it showed Secretary Campbell's incapacity so clearly as to compel his retirement and obliged the President to call a special session of Congress — the Treasury might regard it as

the least of its embarrassments. The United States Government in 1814 had so inextricably involved its finances that without dictatorial powers of seizing property, its functions could not much longer be continued. The general bankruptcy, long foreseen, at length occurred.

The panic caused by the capture of Washington, August 24, obliged the tottering banks of Philadelphia and Baltimore to suspend specie payments. The banks of Philadelphia formally announced their suspension, August 31, by a circular explaining the causes and necessity of their decision. The banks of New York immediately followed, September 1; and thenceforward no bank between New Orleans and Albany paid its obligations except in notes. Only the banks of New England maintained specie payments, with the exception of those in least credit, which took the opportunity to pay or not pay as they pleased. The British navy and the Boston Federalists held the country firmly bound, and peace alone could bring relief.

The President's second inquiry regarded men. The new Secretary of War, Monroe, gave him such information as the department possessed on the numbers of the army. The general return of September 30 reported the strength of the army at 34,029 men. The Government was not able to provide the money necessary to pay bounties due for the last three months' recruiting. The Secretary of War admitted the failure of the recruiting service.

The smallness of the armies in the field showed worse results than were indicated by the returns. Macomb at Plattsburg claimed to have only fifteen hundred effectives. Izard carried with him to Buffalo only four thousand men. Brown's effectives at Fort Erie numbered two thousand. Apparently these three corps included the entire force in the field on the Canada frontier, and their combined effective strength did not exceed eight thousand men.

Much was said of the zeal shown by the State militia in hastening to the defense of their soil, and the New England Federalists were as loud as the Kentucky and Tennessee Democrats in praise of the energy with which the militia rose to resist invasion; but in reality this symptom was the most alarming of the time. Both in the military and in the political point of view, the persistence in depending on militia threatened to ruin the National Government.

The military experience of 1814 satisfied the stanchest war Democrats

that the militia must not be their dependence. In Maine the militia allowed themselves with hardly a show of resistance to be made subjects of Great Britain. At Plattsburg volunteers collected in considerable numbers, but the victory was won by the sailors and the engineers. At Niagara, Brown never could induce more than a thousand volunteers to support him in his utmost straits. Porter's efforts failed to create a brigade respectable in numbers, and at Chippawa his Indians outnumbered his whites. Four days after the repulse of Drummond's assault on Fort Erie, at the most anxious moment of the Niagara campaign, Major-General Brown wrote to Secretary Armstrong: 'I very much doubt if a parallel can be found for the state of things existing on this frontier. A gallant little army struggling with the enemies of their country, and devoting their lives for its honor and its safety, left by that country to struggle alone, and that within sight and within hearing.'

A month afterward, Brown succeeded in obtaining a thousand volunteers, and by some quality of his own made them assault and carry works that old soldiers feared to touch. The feat was the most extraordinary that was performed on either side in the remarkably varied experience of war; but it proved Brown's personal energy rather than the merits of a militia system. At Washington the militia were thoroughly tested; their rout proved chiefly the incompetence of their general, but the system was shown, before the battle, to be more defective than the army it produced. At Baltimore the militia were again routed, and the town was saved chiefly by the engineers and sailors. In Virginia, where more than forty thousand militia were in the field, they protected nothing, and their service was more fatal to themselves than though they had fought severe battles. Nearly all the Virginia militia summoned for the defense of Norfolk suffered from sickness, and the mortality, when compared with that of the regular service, was enormous; five militiamen sickened and died where one regular soldier suffered. In Tennessee and Georgia the experience was equally unfortunate; the Georgia militia could do nothing with the Creeks, and Andrew Jackson himself was helpless until he obtained one small regiment of regulars.

Besides its military disadvantages the militia service was tainted with fraud. Habitually and notoriously in New England and New York, the militiamen when called out attended muster, served a few days in order to get their names on the payroll, and then went home. The United

States Government wasted millions of dollars in pay and pensions for such men.

The worst of all evils lay still further in the background. The militia began by rendering a proper army impossible, and ended by making government a form. The object of Massachusetts in praising the conduct of militia, and in maintaining its own at a high state of efficiency, was notorious. The Federalists knew that the National Government must sooner or later abandon the attempt to support an army. When that time should come, the only resource of the Government would lie in State armies, and Massachusetts was the best equipped State for that object. Her militia, seventy thousand strong, well armed, well drilled, and as yet untouched by war, could dictate to the Union. Whenever Massachusetts should say the word, the war must stop; and Massachusetts meant to say the word when the Government fairly ceased to possess either money or arms.

That moment, in the belief of the Massachusetts Federalists, had come. Their course in the summer and autumn of 1814 left no doubt of their intentions. No act of open rebellion could be more significant than their conduct when Sherbrooke's expedition occupied Castine. Then at last Governor Strong consented to call out the militia, which he refused to do two years before, because, he asserted, Castine and the other coast towns were sufficiently defended; but the Governor was careful to avoid the suspicion that these troops were in the national service. He acted independently of the National Government in the terms of his general order of September, 1814, placing his militia under the command of a major-general of their own, and making only a bare inquiry of the Secretary of War whether their expenses would be reimbursed — an inquiry which Monroe at once answered in the negative. The force was a State army, and could not fail to cause the President more anxiety than it was likely ever to cause the Prince Regent.

At the same time the Governor of Connecticut withdrew from the command of Brigadier-General Cushing the brigade of State militia then in the national service, and placed it under a major-general of State militia, with injunctions to obey no orders except such as were issued by State authority. The evil of these measures was greatly aggravated by coinciding with the crisis which stopped the course of National Government. Connecticut withdrew her militia, August 24; Washington was

captured the same day; the Philadelphia banks suspended payment August 29; Castine was taken August 31; and Governor Strong called out the Massachusetts militia September 6. The Government was prostrate, and New England was practically independent when Sir George Prevost crossed the frontier, September 3. So complete was the paralysis that Governor Chittenden of Vermont, on receiving official notice that the British army and navy were advancing on Lake Champlain, refused to call out the militia, because neither the Constitution nor the laws gave him authority to order the militia out of the State. He could only recommend that individuals should volunteer to assist in the defense of Plattsburgh. Chittenden's conduct was the more suggestive because of his undoubtedly honesty and the absence of factious motive for his refusal.

The full meaning of Governor Strong's course was avowed a few days afterward. Having called a special meeting of the State Legislature for October 5, he addressed to it a message narrating the steps he had taken, and the refusal of the President to assume the expenses of the militia called into service for the defense of the State.

The situation of this State is peculiarly dangerous and perplexing [said Governor Strong]; we have been led by the terms of the Constitution to rely on the government of the Union to provide for our defense. We have resigned to that Government the revenues of the State with the expectation that this object would not be neglected. . . . Let us then, relying on the support and direction of Providence, unite in such measures for our safety as the times demand and the principles of justice and the law of self-preservation will justify.

The Massachusetts Legislature could not fail to understand Governor Strong's message as an invitation to resume the powers with which the State had parted in adopting the Constitution.

The Legislature referred the message to a committee, which reported only three days afterward through its chairman, Harrison Gray Otis. The report showed that the United States Constitution had failed to secure to New England the rights and benefits expected from it, and required immediate change. The prescribed mode of amendment was insufficient:

When this deficiency becomes apparent, no reason can preclude the right of the whole people who were parties to it to adopt another. . . . But as a proposition for such a convention from a single State would probably

be unsuccessful, and our danger admits not of delay, it is recommended by the committee that in the first instance a conference should be invited between those States the affinity of whose interests is closest.

Thus, after ten years' delay, the project of a New England Convention was brought forward by State authority, through the process of war with England, which George Cabot from the first declared to be the only means of producing it. As Otis's committee presented the subject, the conference was in the first place to devise some mode of common defense; and, in the second, 'to lay the foundation for a radical reform in the national compact by inviting to a future convention a deputation from all the States in the Union.'

To the proposition for a conference of the New England States, and to Otis's other resolutions, the Senate and House assented, October 13, by large majorities, varying in numbers, but amounting to two hundred and sixty against ninety in the case of the proposed convention. The Legislature of Connecticut immediately appointed seven delegates to meet those of Massachusetts at Hartford, December 15, for the purpose of recommending 'such measures for the safety and welfare of these States as may consist with our obligations as members of the National Union.' In this clause the Legislature intended to draw a distinction between obligations to the Union and obligations to the Constitution. To the former the people avowed no hostility; to the latter they thought the war had put an end. On that point the committee's report was clear.

Besides Massachusetts and Connecticut the Legislature of Rhode Island, by a vote of thirty-nine to twenty-three, appointed, November 5, four delegates to confer at Hartford upon the measures which might be in their power to adopt to restore their rights under the Constitution, 'consistently with their obligations.' These three States alone chose delegates.

Immediately after these steps were taken, the autumn elections occurred. Members of Congress were to be chosen, and the people were obliged to vote for or against the Hartford Convention as the issue expressly avowed. President Madison might safely assume that no man voted for Federalist Congressmen in November, 1814, unless he favored the project of a New England Convention. The result was emphatic. Massachusetts chose eighteen Federalists and two Republicans; Vermont, New Hampshire, Rhode Island, and Connecticut chose only Federalists.

In all, New England chose thirty-nine Federalist Congressmen and two Republicans for the Fourteenth Congress.

In the Thirteenth Congress, chosen in 1812, when the feeling against the war was supposed to be strongest, the Federalist members from New England numbered thirty, the Republicans eleven.

The States from Maryland to Maine chose a majority of Congressmen who were not Republicans. The New England States, New York, New Jersey, Pennsylvania, Delaware, and Maryland returned much more than half the members of Congress — one hundred and eight in one hundred and eighty-two; and of these fifty-seven were Federalists, while only fifty-one were Republicans. The unpopularity of the Administration was not easily overestimated when Madison could win no more support than this, at a time when the public believed a vote for Federalism to be a vote for disunion.

The difficulties that depressed Madison's mind were not merely local. He might have disregarded the conduct of the State Governments of Massachusetts and Connecticut had he enjoyed the full support of his own great Republican States, Pennsylvania, Virginia, and North Carolina. Except New York, Kentucky, Tennessee, and perhaps Ohio, no State gave to the war the full and earnest co-operation it needed. Again and again, from the beginning of the troubles with England, Madison had acted on the conviction that at last the people were aroused; but in every instance he had been disappointed. After the burning of Washington, he was more than ever convinced that the moment had come when the entire people would rally in their self-respect; but he was met by the Hartford Convention and the November elections. If the people would not come to the aid of their Government at such a moment, Madison felt that nothing could move them. Peace was his last hope.

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CHAPTER NINETY-SIX

*Congress and the Conduct of the War*

**C**ONGRESS WAS SUMMONED to meet in extra session September 19, by a proclamation issued August 8, before the capture of Washington. On the appointed day the members appeared, but found their building in ashes, and met like vagrants, without a shelter they could call their own. The President caused the only public office that had been spared to be fitted for their use. The building used as Post and Patent Office was not burned. There Congress was obliged to hold its sessions, in such discomfort as it had never before known.

The President sent his Annual Message September 20, which informed Congress that it had been specially summoned to supply 'any inadequacy in the existing provision for the wants of the Treasury,' as well as to be ready for whatever result might be reached by the negotiation at Ghent. Two-thirds of the Message related to the operations of war, and the President seemed rather disposed to suppress than to avow his difficulties, but the little he said of them was heavy with anxiety. He announced that July 1 five million dollars remained in the Treasury, and that 'large sums' must be provided; but he did not add that the loan had failed or that the banks and Treasury had suspended specie payments. He did not say that the regular army and the militia system were inadequate to national defense; but he declared 'the necessity of immediate measures for filling the ranks of the regular army,' and of giving 'the requisite energy and efficiency' to the militia.

The President threw on the Secretaries of the Treasury and of War the ungrateful task of announcing the details of their need. Secretary Campbell was first to address Congress, and the tone of his report on the state of the finances received emphasis from the resignation which he sent at the same time to the President. Campbell's annual report of September 23 was an admission of incompetence. He had paid, he said, nearly twenty millions from the Treasury between January and July; twenty-seven millions more were payable between July and the following January. For the year 1815 the Treasury would require at least as much as for 1814. Congress must therefore speedily provide at least seventy-four millions for the service between July 1, 1814, and December 31, 1815.

Loans being impracticable, Campbell discussed the possibility of using Treasury notes. Eight millions were already in issue, and of these more than four millions would fall due before December 31. Campbell considered that six millions in Treasury notes was about as large a sum as could easily be circulated, but by issuing notes of small denominations he hoped to raise the amount to ten millions.

From all sources Campbell hoped to obtain about twenty-four million dollars of the seventy-four millions required. For the remaining fifty millions he had no suggestion to offer. The means for new and extraordinary exertions, he said, 'ought to be provided.' He declared that the resources of the nation were ample — which was true, but was also the most discouraging symptom of the time; for if the people, with ample resources, as he asserted, refused to come to the support of their own Government on any terms, their decision must be accepted as final.

Congress on hearing this financial statement regarded the situation as desperate. 'Tell Doctor Madison,' Senator Lacock was reported to have said to the President's private secretary, 'that we are now willing to submit to his Philadelphia lawyer for head of the Treasury. The public patient is so very sick that we must swallow anything, however nauseous.' Dallas was nominated October 5, and confirmed the next day without opposition, as Secretary of the Treasury. No stronger proof could have been given of the helplessness of Congress, for Dallas was a man who under no other circumstances could have obtained a ray of popular favor.

Dallas's character was high, his abilities undoubted, his experience large; but for ten years he had been one of the least popular men in Pennsylvania, the target of newspaper abuse and the champion of political independence. The people reasonably required that their leaders should more or less resemble some popular type, and if the result was monotonous the fault was in the society, not in its politics or its politicians; but Dallas was like no ordinary type in any people. His tone of intellectual and social superiority, his powdered hair, old-fashioned dress and refined manners, his free habits of expense, and the insubordination even more than the vivacity of his temper irritated the prejudices of his party. He had little respect for Presidents, and none for Congress.

The difficulties of the Treasury when Dallas took charge of it were not easily exaggerated. The Treasury was bankrupt. The formal stoppage of payments in interest on the debt was announced, November 9, by an

official letter from the Secretary, notifying holders of Government securities in Boston that the Treasury could not meet its obligations, and that 'the Government was unable to avert or to control this course of events.' After that date the Treasury made no further pretense of solvency.

Nothing could be plainer than that the House must ultimately come to inconverting Government paper, whether issued by the Treasury or by a bank; but after Congress had sat two months and a half, the House was no nearer a decision than when it met. Dallas reported that \$5,726,000 in Treasury notes and dividends were due, or would fall due by January 1; and that including unavailable bank credits and subject to possible contingencies, the Treasury might contain resources to meet these demands to the amount of \$3,972,000.

The medium of depreciated and depreciating bank paper in which taxes were to be paid secured the States outside of New England from intolerable pressure by giving the means of indefinite depreciation; but to the Government such a resource meant merely a larger variety of bank credits, which were of no certain value even in the towns where the banks existed, and were of no value at all elsewhere. The burden of taxation would be thrown chiefly on New England; and if the Hartford Convention did nothing else, it was sure to take measures for sequestering the proceeds of taxation in New England for military purposes. The hope of restoring the finances by taxation was faint. Until the currency could be established and exchanges made secure, the Government was helpless.

November 28, the Senate next took the matter in hand. Rufus King reported, December 2, a bill to incorporate a bank, which was in effect the bill recommended by Dallas. After a week's consideration the Senate passed the bill, December 9, by the vote of seventeen to fourteen — King and the Federalists, with four Republican Senators, voting against it. The House referred it to the Committee of Ways and Means, which reported it, December 14, with amendments. The debate began December 23, and was cut short December 27 by C. J. Ingersoll, who by the close vote of seventy-two to seventy obliged the House to call for the previous question, and order the bill to its third reading. This energy was followed by a reaction; the bill was recommitted for amendment, again reported, and vehemently attacked.

Never had the House shown itself more feeble. The Federalists took

the lead in debate; and January 2, Daniel Webster, in a speech that placed him at the head of the orators of the time, dictated the action of Congress:

What sort of an institution, sir, is this? It looks less like a bank than like a department of government. It will be properly the paper-money department. Its capital is government debts; the amount of issues will depend on government necessities; government in effect absolves itself from its own debts to the bank, and by way of compensation absolves the bank from its own contracts with others. This is indeed a wonderful scheme of finance. The government is to grow rich because it is to borrow without the obligation of repaying, and is to borrow of a bank which issues paper without the liability to redeem it. . . . They found their bank in the first place on the discredit of government, and then hope to enrich government out of the insolvency of the bank.

Webster was a master of "antithesis, and the proposed bank was in effect what he described. The Hartford Convention was in session while he spoke. Every word of his speech was a shock to the Government and the Union, for his only suggestion was equivalent to doing nothing. He moved to instruct the committee to report a bill creating a bank with thirty millions of capital, composed one-fourth of specie and three-fourths of Government securities; without power to suspend specie payments, and without obligation to lend three-fifths of its capital to the Government. To such a bank he would give his support, 'not as a measure of temporary policy, or an expedient to find means of relief from the present poverty of the Treasury,' but as an institution most useful in times of peace.

The House came to a vote the same day, and divided eighty-one to eighty. Then the Speaker, Langdon Cheves, rose, and after denouncing the proposed bank as 'a dangerous, unexampled, and he might almost say a desperate resort,' gave his casting vote against the bill.

No sooner had the House struck this blow at Dallas than it shrank back. The next day, amid complaints and objections, it reconsidered its matured decision by the sudden majority of one hundred and seven to fifty-four. Once more the bill was recommitted, and once more reported, January 6, in the form that Webster proposed. Weary of their own instability, the majority hastened to vote. Most of the Federalists supported the bill; but Grosvenor of New York, one of the ablest, frankly

said what everyone felt, that the proposed institution could not be a specie bank or get a million of its notes into circulation. ‘The Government relying on it would be disappointed, and ruin soon stare them in the face.’ With this understanding the House passed the bill, January 7, by a vote of one hundred and twenty to thirty-eight; and the Senate, after a struggle with the House, accepted it, January 20, by a vote of twenty to fourteen.

Dallas was not a man to be easily daunted even in so desperate a situation. After ten days’ deliberation, the President sent to Congress a veto message.

The veto left the Treasury, February 1, without a resource in prospect. The unsatisfied demands reached nearly twenty millions. The cash balance, chiefly in bank credits, was little more than six millions. A further deficit of forty millions remained to be provided above the estimated revenue of 1815. Dallas had no serious hope of carrying on the Government. In a letter to the Committee of Ways and Means, dated January 17, he could only propose to add six millions more to the taxes, issue fifteen millions in Treasury notes, and borrow twenty-five millions on any terms that could be obtained. In making these recommendations he avowed in grave words his want of confidence in their result:

In making the present communication I feel, sir, that I have performed my duty to the Legislature and to the country; but when I perceive that more than forty millions of dollars must be raised for the service of the year 1815, by an appeal to public credit through the medium of the Treasury notes and loans, I am not without sensations of extreme solicitude.

Young George Ticknor of Boston happened to be in the gallery of the House of Representatives when Eppes read this letter, January 21, and the next day he wrote:

The last remarkable event in the history of this remarkable Congress is Dallas’s report. You can imagine nothing like the dismay with which it has filled the Democratic Party. All his former communications were but emollients and palliations compared with this final disclosure of the bankruptcy of the nation. Mr. Eppes as Chancellor of the Exchequer, or Chairman of the Committee of Ways and Means, read it in his place yesterday, and when he had finished, threw it upon the table with expressive violence, and, turning round to Mr. Gaston, asked him with a bitter levity between jest and earnest, —

'Well, sir! will your party take the government if we will give it up to them?'

'No, sir!' said Gaston; . . . 'No, sir! Not unless you will give it to us as we gave it to you!'

While Dallas struggled with Congress to obtain the means of establishing a currency in order to pay the army, Monroe carried on a similar struggle in order to obtain an army to pay. On this point, as on the financial issue, Virginian ideas did not accord with the wishes of Government. The prejudice against a regular army was stimulated by the evident impossibility of raising or supporting it. Once more Jefferson expressed the common feeling of his Virginia neighbors.

We must prepare for interminable war [he wrote to Monroe, October 16]. To this end we should put our house in order by providing men and money to an indefinite extent. The former may be done by classing our militia, and assigning each class to the description of duties for which it is fit. It is nonsense to talk of regulars. They are not to be had among a people so easy and happy at home as ours. We might as well rely on calling down an army of angels from heaven.

As Jefferson lost the habits of power and became once more a Virginia planter, he reverted to the opinions and prejudices of his earlier life and of the society in which he lived. As Monroe grew accustomed to the exercise and the necessities of power, he threw aside Virginian ideas and accepted the responsibilities of government. On the same day when Jefferson wrote to Monroe that it was nonsense to talk of regulars, Monroe wrote to Congress that it was nonsense to talk of militia.

In Monroe's opinion a regular force was an object 'of the highest importance.' In the face of Jefferson's warning that he might as well call down an army of angels from heaven, Monroe called for one hundred thousand regular troops when no exertions had hitherto availed to keep thirty thousand effectives on the rolls.

The Senate committee immediately summoned Monroe to an interview. They wished an explanation of the failure in the recruiting service, and were told by Monroe that the failure was chiefly due to the competition of the detached militia for substitutes. The military committee of the House then joined with the military committee of the Senate in sounding the members of both bodies in order to ascertain the most rigorous measure that could be passed. According to the report of Troup

of Georgia, chairman of the House committee, they ‘found that no efficacious measure, calculated certainly and promptly to fill the regular army, could be effectually resorted to.’

Yet the issue was made at a moment of extreme anxiety and almost despair. In October, 1814, the result of the war was believed to depend on the establishment of an efficient draft. The military situation, known to all the world, warranted deep depression. Sir George Prevost, about to be succeeded by an efficient commander — Sir George Murray — was then at Kingston organizing a campaign against Sackett’s Harbor, with an army of twenty thousand regular troops and a fleet that controlled the Lake. Another great force, military and naval, was known to be on its way to New Orleans; and the defenses of New Orleans were no stronger than those of Washington. One-half the Province of Maine, from Eastport to Castine, was already in British possession.

To leave no doubt of England’s intentions, dispatches from Ghent, communicating the conditions on which the British Government offered peace, arrived from the American commissioners and were sent, October 10, to Congress. These conditions assumed rights of conquest. The British negotiators demanded four territorial or proprietary concessions, and all were vital to the integrity of the Union. First, the whole Indian Territory of the Northwest, including about one-third of the State of Ohio, two-thirds of Indiana, and nearly the entire region from which the States of Illinois, Wisconsin, and Michigan were afterward created, was to be set aside forever as Indian country under British guaranty. Second, the United States were to be excluded from military or naval contact with the Lakes. Third, they had forfeited their rights in the fisheries. Fourth, they were to cede a portion of Maine to strengthen Canada.

These demands, following the unparalleled insult of burning Washington, foreshadowed a war carried to extremities, and military preparations such as the Union had no means ready to repel. Monroe’s recommendations rested on the conviction that the nation must resort to extreme measures. Dallas’s financial plan could not have been suggested except as a desperate resource. Congress understood as well as the Executive the impending peril, and stood in even more fear of it.

Under these circumstances, when Troup’s committee refused to act, Giles reported, on behalf of the Senate committee, two military measures. The first, for filling the regular army, proposed to extend the age of en-

listment from twenty-one to eighteen years; to double the land bounty; and to exempt from militia duty every militiaman who should furnish a recruit for the regular service.

The second measure, reported the same day, November 5, purported to authorize the raising an army of eighty thousand militiamen by draft, to serve for two years within the limits of their own or an adjoining State. The provisions of this measure were ill-conceived, ill-digested, and unlikely to answer their purpose. The moment the debate began, the bill was attacked so vigorously as to destroy whatever credit it might have otherwise possessed.

Jeremiah Mason of New Hampshire was second to no one in legal ability or in personal authority, and he spoke with full knowledge of the effect his words would have on the action of the Hartford Convention and of the State executives.

In my opinion [he said], this system of military conscription thus recommended by the Secretary of War is not only inconsistent with the provisions and spirit of the Constitution, but also with all the principles of civil liberty. In atrocity it exceeds that adopted by the late Emperor of France for the subjugation of Europe. . . . Such a measure cannot, it ought not to be submitted to. If it could in no other way be averted, I not only believe, but I hope, it would be resisted.

Mason pointed to the alternative — which Massachusetts was then adopting, as the necessary consequence of refusing power to the Government — that the States must resume the powers of sovereignty:

Should the national defense be abandoned by the general Government, I trust the people, if still retaining a good portion of their resources, may rally under their State Governments against foreign invasion, and rely with confidence on their own courage and virtue.

At that time the State of Massachusetts was occupied for one hundred miles of its seacoast by a British force, avowedly for purposes of permanent conquest; and the State Legislature, October 18, refused to make an inquiry, or to consider any measure for regaining possession of its territory, or to co-operate with the National Government for the purpose, but voted to raise an army of ten thousand men. The object of this State army was suggested by Christopher Gore, the Federalist Senator from Massachusetts who followed Mason in the debate. In personal and

political influence Gore stood hardly second to Mason, and his opinions were likely to carry the utmost weight with the convention at Hartford. With this idea necessarily in his mind, Gore told the Senate:

This [bill] is the first step on the odious ground of conscription — a plan, sir, which never will and never ought to be submitted to by this country while it retains one idea of civil freedom; a plan, sir, which if attempted will be resisted by many States, and at every hazard. In my judgment, sir, it should be resisted by all who have any regard to public liberty or the rights of the several States.

Nevertheless, the Senate passed the Militia Bill by a vote of nineteen to twelve — Anderson of Tennessee and Varnum of Massachusetts joining the Federalists in opposition. The Regular Army Bill passed November 11, without a division. Both measures then went to the House and were committed, November 12, to the Committee of the Whole.

While the friends of the Government spoke in terms of open discouragement and almost despair of the strongest military measure which Congress would consent to consider, the Federalists made no concealment of their wishes and intentions. Daniel Webster used similar arguments to those of his friend Jeremiah Mason in the Senate, affirming that the same principle which authorized the enlistment of apprentices would equally authorize the freeing of slaves, and echoing pathetic threats of disunion. Other Federalists made no professions of sadness over the approaching dissolution of government.

Richard Stockton of New Jersey was allowed unanswered to denounce in measured terms the Militia Bill; and Stockton concluded his fine-drawn arguments by equally studied menace:

This bill also attacks the right and sovereignty of the State Governments. Congress is about to usurp their undoubted rights — to take from them their militia. By this bill we proclaim that we will have their men, as many as we please, when and where and for as long a time as we see fit, and for any service we see proper. Do gentlemen of the majority seriously believe that the people and the State Governments will submit to this claim? Do they believe that all the States of this Union will submit to this usurpation? Have you attended to the solemn and almost unanimous declaration of the Legislature of Connecticut? Have you examined the cloud arising in the East? Do you perceive that it is black, alarming, portentous?

The resolution of the Connecticut Legislature to which Stockton referred was adopted in October, and authorized the Governor in case of the passage of the Militia Bill to convoke the General Assembly forthwith, to consider measures 'to secure and preserve the rights and liberties of the people of this State, and the freedom, sovereignty, and independence of the same.' Stockton's speech was made December 10, and 'the cloud arising in the East,' as he figured the Hartford Convention, was to take form December 15.

Notwithstanding every effort of the war leaders, the Opposition steadily won control over the House. Daniel Webster during his entire lifetime remembered with satisfaction that he shared with Eppes the credit of overthrowing what he called Monroe's conscription. December 10, at Eppes's motion, the House voted by a majority of sixty-two to fifty-seven to reduce the term of service from two years to one. A motion made by Daniel Webster to reduce the term to six months was lost by only one voice, the vote standing seventy-eight to seventy-nine. The bill passed at last, December 14, by a vote of eighty-four to seventy-two, in a House where the true war majority was forty-six. When the Senate insisted on its provision of two years' service, Troup, in conference committee, compromised on eighteen months. Then the House, December 27, by a vote of seventy-three to sixty-four, rejected the report of its conference committee. The next day, December 28, in the Senate, Rufus King made an unpremeditated motion for indefinite postponement. Some members were absent; no debate occurred. The question was immediately put, and carried by a vote of fourteen to thirteen. The effect of this action was to destroy the bill.

With this failure the attempt to supply an army was abandoned, and Congress left the Government to conduct the war in 1815, as in 1814, with thirty thousand regular troops and six months' militia.

A year afterward, in the calmer light of peace and union, Joseph Hopkinson, a very distinguished Federalist of Philadelphia, not deluded like the New Englanders by local pride or prejudice, declared publicly in Congress the common conviction of his party on the probable consequences of another year of war:

The Federal Government was at the last gasp of existence. But six months longer and it was no more.... The general Government would have dissolved into its original elements; its powers would have returned

to the States from which they were derived; and they doubtless would have been fully competent to their defense against any enemy. Does not everybody remember that all the great States, and I believe the small ones too, were preparing for this state of things, and organizing their own means for their own defense?

Calhoun contradicted Hopkinson and denied his assertions, but on that subject Hopkinson was at least an equal authority. Calhoun knew well his own State, but he knew little of New England; and he had yet to learn, perhaps to his own surprise, how easily a section of the Union could be wrought to treason.

## CHAPTER NINETY-SEVEN

*The Hartford Convention*

THE MASSACHUSETTS LEGISLATURE issued, October 17, its invitation to the New England States for a conference, and on the same day the newspapers published the dispatches from Ghent containing British conditions of peace — which required, among greater sacrifices, a cession of Massachusetts territory and an abandonment of fisheries and fishing rights conceded with American independence. Two counties of the State beyond the Penobscot were then in British military possession, and a third, Nantucket, was a British naval station. Yet even under these circumstances the British demands did not shock the Federalist leaders. Governor Strong, after reading the Ghent documents, October 17, wrote to Pickering at Washington: 'If Great Britain had discovered a haughty or grasping spirit, it might naturally have excited irritation; but I am persuaded that in the present case there is not a member of Congress who, if he was a member of Parliament, would have thought that more moderate terms ought in the first instance to have been offered.'

Governor Strong began at once to sound his friends in regard to the proposed concessions. The following day he wrote that the Essex people expected to lose the fisheries, but were ready to give up a portion of Maine to retain them.

Pickering wrote in reply, acquiescing in the proposed barter of territory for fisheries, and also in the more extravagant British demands for the Indians and the Lakes. The leading Federalists united with Pickering and Strong in blaming the American negotiators and the Government for rejecting the British offers.

Thus, in the November election, a few weeks later, two issues were impressed on the people of New England. In regard to neither issue did the Federalist leaders attempt concealment. The people were invited, as far as the press of both parties could decide the points of dispute, to express their opinion — first, whether the British conditions of peace should have been taken into consideration; second, whether the States should be represented at the Hartford Convention. The popular response was emphatic. Everywhere in New England the Republican

candidates were defeated; and the Federalists, encouraged by the result — believing the Hartford Convention to be the most popular action taken by Massachusetts since the State adopted the Federal Constitution — prepared to support measures, looking to the restoration of peace and to the establishment of a new Federal compact comprising either the whole or a portion of the actual Union.

The Boston *Centinel*, announcing November 9 the adhesion of Connecticut and Rhode Island to the Hartford Convention, placed over the announcement the headline, ‘Second and Third Pillars of a new Federal Edifice reared.’ During November and December, almost every day, the newspapers discussed the question what the convention should do. The extremists, represented in the press by John Lowell, asked for immediate action. ‘Throwing off all connection with this wasteful war’ — wrote ‘A New England Man’ in the *Centinel* of December 17 — ‘making peace with our enemy and opening once more our commerce with the world, would be a wise and manly course. The occasion demands it of us, and the people at large are ready to meet it.’

Apparently Lowell was right. The people showed no sign of unwillingness to meet any decision that might be recommended by the convention. As the moment approached, the country waited with increasing anxiety for the result. The Republican press at first ridiculed the convention, then grew irritable, and at last betrayed signs of despair. On both sides threats were openly made and openly defied; but in Massachusetts the United States Government had not five hundred effective troops, and if the convention chose to recommend that the State should declare itself neutral and open its ports, no one pretended that any national power existed capable of preventing the Legislature from carrying the recommendation into effect if it pleased.

From immediate extravagance Massachusetts was saved by the leaders who, knowing the popular excitement, feared lest the convention should be carried too fast into disorder, and for that reason selected representatives who could be trusted to resist emotion. When George Cabot was chosen as the head of the State delegation, the character of the body was fixed. The selection of Cabot did not please the advocates of action. Pickering wrote to Lowell suggesting doubts whether Cabot was the fittest choice. Lowell replied that he shared these doubts, and that in consequence he had been led to oppose the convention altogether.

Cabot, he said, was 'most reluctantly dragged in like a conscript to the duty of a delegate'; — he had always been despondent as to the course of public affairs, and felt no confidence in the possibility of awakening the people to their true disease — which was not the war or the Union, but democracy.

Cabot shocked Pickering by expressing all his favorite political views in one brief question: 'Why can't you and I let the world ruin itself its own way?' Such a turn of mind was commonly the mark of a skeptical spirit, which doubted whether the world at best was worth the trouble of saving; and against this inert and indifferent view of human affairs New England offered a constant protest. Yet the Massachusetts delegation to Hartford was in sympathy with Cabot, while the Massachusetts Legislature seemed to sympathize with Pickering.

In the Council Chamber of the State House at Hartford the delegates assembled, December 15, and gave instant evidence of their intention to discourage appeals to popular emotion. Their earliest steps decided their whole course. They chose George Cabot as their President, and they made their sessions secret. Under no circumstances could the convention have regarded itself as a popular body, for the delegates numbered only twenty-three persons, mostly cautious and elderly men, who detested democracy, but disliked enthusiasm almost as much.

Excess of caution helped to give the convention an air of conspiracy, which warned future conspirators to prefer acting, or appearing to act, in public. The secrecy of the Hartford conference created a belief that the debates would not bear publicity. Some years afterward, Harrison Gray Otis, laboring to clear his political reputation from the stigma of membership, caused the official journal of the convention to be published; and the record, though revealing nothing of what was said, proved that nothing was formally done or proposed which contradicted the grave and restrained attitude maintained in its public expressions.

On the first day of its meeting, the convention appointed a committee to consider and report upon the business to be done. Chauncey Goodrich, Otis, and three other members formed this committee.

Otis took the chief burden of business; and the result could scarcely fail to reflect in some degree the character of the man as well as of the body for which he was acting. Though ambitious of leading, Otis never led. John Lowell described his character, as it was understood in Boston,

perhaps somewhat harshly, for Otis was no favorite with any class of men who held fixed opinions:

Mr. Otis is naturally timid and frequently wavering — today bold, and tomorrow like a hare trembling at every breeze. It would seem by his language that he is prepared for the very boldest measures, but he receives anonymous letters every day or two threatening him with bodily harm. It seems the other party suspect his firmness. He is sincere in wishing thorough measures, but a thousand fears restrain him.

Otis was the probable author of the report, adopted December 24, recommending a course to the convention; and he was chairman of the larger committee to which that report was referred, and within which the final report — after a discussion lasting from December 24 to December 30 — was framed.

Considering the conservative temper of the delegates and their dislike for extreme measures, the report bore striking evidence of the popular passion which urged them forward. A few paragraphs in its first pages showed the spirit of its recommendations, and a few more showed the effect expected from them:

It is a truth not to be concealed that a sentiment prevails to no inconsiderable extent . . . that the time for a change is at hand. . . . This opinion may ultimately prove to be correct; but as the evidence on which it rests is not yet conclusive, . . . some general considerations are submitted in the hope of reconciling all to a course of moderation and firmness which may . . . probably avert the evil, or at least insure consolation and success in the last resort. . . . A severance of the Union by one or more States against the will of the rest, and especially in time of war, can be justified only by absolute necessity.

Having thus discouraged precipitation and argued in favor of firm and moderate measures as a probable means of preserving the Union, the report sketched the limits of the Union that was to be preserved. In a paragraph closely following the precedent of the Virginia Resolutions of 1798, the report asserted the right and duty of a State to ‘interpose its authority’ for the protection of its citizens from infractions of the Constitution by the general Government. In the immediate crisis, this interposition should take the form of State laws to protect the militia or citizens from conscriptions and drafts; of an arrangement with the general Government authorizing the States to assume their own defense, and to

retain 'a reasonable portion of the taxes collected within the said States' for the purpose; and of State armies to be held in readiness to serve for the defense of the New England States upon the request of the Governor of the State invaded.

Such measures involved the establishment of a New England Confederation. The proposed union of the New England States for their own defense ignored any share to be taken by the general Government in the defense of the national territory, and reduced that Government to helplessness. What could be done by New England might be done by all; and the Federalists assumed that all would be obliged to do it.

Besides the measures of urgency which must be immediately accepted by the National Government, the convention recommended seven amendments to the Constitution; but on these no immediate action was required. The single issue forced on the Government by the convention was that of surrendering to Massachusetts, Connecticut, and Rhode Island 'a reasonable portion of the taxes collected within said States,' and consenting to some arrangement 'whereby the said States may, separately or in concert, be empowered to assume upon themselves the defense of their territory against the enemy.' If the United States Government should decline such an arrangement, the State Legislatures were to send delegates to another convention to meet at Boston, June 15, 'with such powers and instructions as the exigency of a crisis so momentous may require.'

While the convention was preparing its report, from December 15 to January 5, the public waited with the utmost curiosity for the result.

I care nothing for your actings and doings [wrote Gouverneur Morris to Pickering in Congress]. Your decree of conscriptions and your levy of contributions are alike indifferent to one whose eyes are fixed on a star in the East, which he believes to be the day-spring of freedom and glory. The traitors and madmen assembled at Hartford will, I believe, if not too tame and timid, be hailed hereafter as the patriots and sages of their day and generation.

As far as newspapers reflected public opinion, the people of New England held the same views as those expressed by Gouverneur Morris. The Boston *Centinel* contained, December 28, an address to the Hartford Convention announcing that the once venerable Constitution had expired: 'At your hands, therefore, we demand deliverance. New England

is unanimous. And we announce our irrevocable decree that the tyrannical oppression of those who at present usurp the powers of the Constitution is beyond endurance. And we will resist it.' A meeting at Reading in Massachusetts, January 5, pledged itself to make no more returns for taxation and to pay no more national taxes until the State should have made its decision known.

A newspaper paragraph copied by the Federalist press advised the President to provide himself with a swifter horse than he had at Bladensburg if he meant to attempt to subjugate the Eastern States. 'He must be able to escape at a greater rate than forty miles a day, or the swift vengeance of New England will overtake the wretched miscreant in his flight.' Such expressions of the press on either side were of little authority and deserved no great attention; but the language of responsible and representative bodies could not be denied weight. Opposition to the convention seemed cowed. Apparently the State was ready for immediate action; and the convention, in recommending a delay of six months, risked general disapproval.

While the public was in this temper, the convention adjourned and its report was given to the press. No one doubted that moderate men would approve it. The only persons whose approval was in question were 'bold and ardent' partisans, like Gouverneur Morris, Pickering, and John Lowell, who wanted instant action. Chiefly for the sake of unanimity, these men gave in their adhesion. John Lowell hastened to publish his acquiescence in the convention's report. Pickering also approved it, although Pickering's approval was partly founded on the belief that the Union was already dissolved, and no further effort in that direction need be made.

If the British succeed in their expedition against New Orleans [Pickering wrote to Lowell], and if they have tolerable leaders I see no reason to doubt of their success — I shall consider the Union as severed. This consequence I deem inevitable. I do not expect to see a single Representative in the next Congress from the Western States.

The fall of New Orleans was to be the signal for a general demand that Madison should resign, and the Federalist press already prepared the ground by insisting that 'Mr. Madison has scarcely raised his little finger to preserve New Orleans,' and would finally determine to abandon the State of Louisiana. That Madison's authority could survive two such

blows as the capture of Washington and the loss of Louisiana seemed improbable; but that he should resign was impossible, though the alternative was a collapse of government.

When the month of February arrived, Government and people were waiting with keen apprehension for some new disaster, and the least probable solution was that England knowing the situation would consent to any tolerable peace.

## CHAPTER NINETY-EIGHT

### *The Battle of New Orleans*

A DISPATCH from Lord Bathurst, marked 'most secret,' and dated July 30, 1814, informed Major-General Ross that, after finishing his operations in Chesapeake Bay, he was to sail with his whole force to Jamaica, where he would join an expedition then preparing in England to rendezvous at Cape Negril on the west coast of Jamaica about November 20.

The point of attack was left to the discretion of Cochrane and Ross. They might proceed directly against New Orleans or move in the first instance into the back parts of Georgia and the country of the friendly Indians.

If therefore you shall find in the inhabitants a general and decided disposition to withdraw from their recent connection with the United States, either with the view of establishing themselves as an independent people or of returning under the dominion of the Spanish Crown, you will give them every support in your power. . . . You will discountenance any proposition of the inhabitants to place themselves under the dominion of Great Britain; and you will direct their disposition toward returning under the protection of the Spanish Crown rather than to the attempting to maintain what it will be much more difficult to secure substantially — their independence as a separate State.

After occupying New Orleans, Ross and Cochrane were to decide whether any further military operations could be carried on; and if nothing of material importance could be attempted, they were to send the disposable part of their force to Bermuda.

Ross's report of the capture of Washington reached Lord Bathurst September 27, and caused much satisfaction. The Prince Regent highly applauded the ability with which Ross had conducted the capture of Washington, 'an enterprise so creditable to His Majesty's arms, and so well calculated to humble the presumption of the American Government, which, contrary to the real interests, and as it is believed contrary to the prevailing wish, of the nation has involved that country in an unnecessary and unjust war against His Majesty.'

When this dispatch was written, Ross had made his attack on Baltimore, and had failed. The report of his failure and death was received

by the War Department in London October 17, and Bathurst as soon as possible selected a new commander for the expedition to New Orleans. Orders, dated October 24, were sent to Major-Generals Sir Edward Pakenham and Gibbs to join Vice-Admiral Cochrane forthwith, detailing the force at their command. Pakenham was to follow the instructions already given to Ross.

Military District No. 7, in which New Orleans and Mobile were situated, had not been neglected by the United States Government. The regular force assigned by Secretary Armstrong for its defense consisted of five regiments of United States Infantry, with three hundred and fifty artillerists — an aggregate of two thousand three hundred and seventy-eight men. The provision was relatively liberal. District No. 5, on Chesapeake Bay, contained an aggregate of two thousand two hundred and eight regular troops; District No. 6, including North and South Carolina and Georgia, was allotted two thousand two hundred and forty-four men. One-half the regular army was employed in such garrison duty, and a greater number could not have been allotted consistently with retaining an army in the field. Indeed, the only means by which Armstrong could provide so strong a defense, aggregating nearly eight thousand men, for the Southern States was by stripping Massachusetts. District No. 1, including Massachusetts and Maine, contained only six hundred and fifty-five regular troops; and District No. 2, including Rhode Island and Connecticut, contained only seven hundred and fourteen. Besides the regular troops, New Orleans enjoyed the protection of gunboats and one or two larger armed vessels. The city needed only an efficient commander to defy any ordinary attack.

Armstrong supplied a commander who might, as he believed, be safely considered efficient. In the month of May, Andrew Jackson was appointed to the command of Military District No. 7, with headquarters at Mobile. At that moment Jackson, having finished the Creek war, was about to make the necessary arrangements for the future control of the Creek Nation, and he did not take immediate command of his district. No occasion for haste existed. During the summer of 1814, no British force of consequence approached the Gulf of Mexico or was likely to approach it until the frosts began. Jackson left the Creek country August 11, with his regular troops, going by water down the Alabama River, and arriving at Mobile about August 15.

At the same moment government was brought to a standstill at Washington by the appearance of General Ross's army in the Patuxent and the raids on Washington and Baltimore. Between August 20 and September 25, the War Department could do little more than attend to its own pressing dangers. Jackson was left independent, substantially dictator over the Southwest. If New England carried out its intentions, and the Government sank, as seemed probable, into helplessness, his dictatorship was likely to be permanent.

When Jackson arrived at Mobile, August 15, the defense of New Orleans was not in his mind. The people of Tennessee and Georgia had long been bent on the seizure of the Floridas, and Jackson had been one of the most ardent in favoring the step. The Creek war and the escape of the hostile Creeks to East Florida strengthened his conviction that the Spaniards must be expelled. He had begun the war with the idea of pushing his army directly through the Creek country to Pensacola, which he meant to hold.

While Jackson waited at Mobile to attack Pensacola, Monroe at Washington received warnings from Europe, Halifax, and Bermuda that the British force which had just laid Washington in ashes was but a division of a larger army on its way to attack New Orleans. He wrote to Jackson, September 25:

There is great cause to believe that the enemy have set on foot an expedition against Louisiana, through the Mobile, in the expectation that while so strong a pressure was made from Canada and in this quarter, whereby the force of the country and attention of the Government would be much engaged, a favorable opportunity would be afforded them to take possession of the lower part of that State, and of all the country along the Mobile.

The President, he continued, had ordered five thousand additional troops from Tennessee to march to Jackson's aid, and had directed the Governor of Georgia to hold twenty-five hundred more subject to Jackson's orders. He had also sent one hundred thousand dollars in Treasury notes to Governor Blount of Tennessee, to be applied to the necessary expenses of the campaign, and Jackson could draw on him for the necessary funds. The orders to the Governor of Tennessee were sent the same day, September 25. A week later, October 3, Monroe wrote to Governor

Shelby of Kentucky, requesting him to send twenty-five hundred men to Jackson.

Notwithstanding Monroe's warning letter, Jackson still paid no immediate attention to New Orleans. October 28, he wrote to Monroe, announcing that he was then organizing an attack on Pensacola.

Taking four thousand one hundred men, without trains, Jackson marched November 3 against Pensacola, which he occupied, November 7, with little resistance, although 'Spanish treachery,' he said, 'kept us out of possession of the fort until nearly twelve o'clock at night.'

Even Armstrong, who favored Jackson against what he thought the ill-will of Madison and Monroe, afterward condemned the movement against Pensacola. 'The General's attack and capture of the town on the seventh of November, 1814, was to say the least of it decidedly ill-judged, involving at once an offense to a neutral power and a probable misapplication of both time and force as regarded the defense of New Orleans.' Jackson remained only two days at the place, and then returned to Mobile, where he arrived November 11.

Jackson left Mobile November 22, four days before the British expedition under Sir Edward Pakenham sailed from Jamaica. Both Jackson and Pakenham were moving to New Orleans at the same time. Pakenham brought with him an immense fleet and a large army. Jackson, instead of taking, as Monroe hoped, 'the main body' of his troops, left at Mobile the main body, consisting of the Second, Third, and Thirty-Ninth Regiments, about a thousand or twelve hundred men.

Jackson ordered the Forty-Fourth Regiment to New Orleans, and directed Coffee with two thousand of his mounted brigade to march to Baton Rouge. He was himself ill and suffering, and made no excessive haste. Starting from Mobile November 22, he arrived at New Orleans, about one hundred and twenty-five miles, only December 2. His troops were then much scattered. The main body was at Mobile. The Forty-Fourth Regiment was in march from Mobile to New Orleans, where the Seventh Regiment was already stationed. A thousand volunteer horsemen, part of Coffee's brigade, under Major Blue of the Thirty-Ninth Infantry, were scouring the Escambia, Yellow Water, and other remote Florida recesses. The remainder of Coffee's brigade was at Baton Rouge December 4, greatly reduced by various causes, and numbering only twelve hundred men. A few Mississippi dragoons were near them. A

division of Tennessee militia, twenty-five hundred strong, under General Carroll, had started from Nashville November 20, and might be expected at New Orleans about December 20. A division of Kentucky militia, also twenty-five hundred strong, was on its way, and might arrive about the new year. Meanwhile, the British expedition was sailing, with much deliberation, past the shores of Cuba, toward Florida.

Jackson's first act after arriving at New Orleans showed no consciousness of danger. Armstrong, criticizing his measures, afterward said: "Had the General been better acquainted with military history, he would not have suffered a single day of the twenty he had for preparation to have passed without forming one or more entrenched camps for the protection of the city." Instead of doing this, Jackson did what had been done by Armstrong and Winder at Washington in August. Having arrived in the city December 2, he started two days afterward to inspect Fort St. Philip on the river sixty miles below. He returned to New Orleans December 11, believing that the British would approach by the river, and prepared works to arrest their advance. He then rode out to Chef Menteur and Lake Pontchartrain on the north, which he thought the next probable point of attack. He was still absent, December 15, examining the situation of different works northward of the city, when the British expedition struck its first blow.

Six American gunboats, the whole force on the lakes, watched the entrance of Lake Borgne through which the British must pass if they attacked New Orleans by way of the lakes. They were stationed for observation rather than for resistance — although for observation a few fishermen's boats would have been more useful. The British expedition, upward of fifty sail, made land December 10, and was seen by the gunboats, which retired within the lake. The British land forces were transferred from the heavy ships into the lighter vessels, and under convoy of sloops-of-war entered Lake Borgne December 13. The boats of the squadron, carrying about a thousand seamen and marines, left the ships during the night of December 12 in search of the American gunboats, which tried to escape, but were becalmed and obliged by the tide to anchor. After a tedious row of thirty-six hours the British boats overtook the gunboat flotilla December 14, and after a sharp struggle succeeded in capturing the whole, with a loss of seventeen men killed and seventy-seven wounded. The American crews numbered one hundred and eighty-two men, and lost six killed and thirty-five wounded.

News of the capture of the gunboats, which occurred at noon December 14 about forty miles to the eastward of New Orleans, arrived on the evening of December 15, and produced the utmost consternation. Jackson hurried back to the city, where his presence was no longer a matter of choice but necessity.

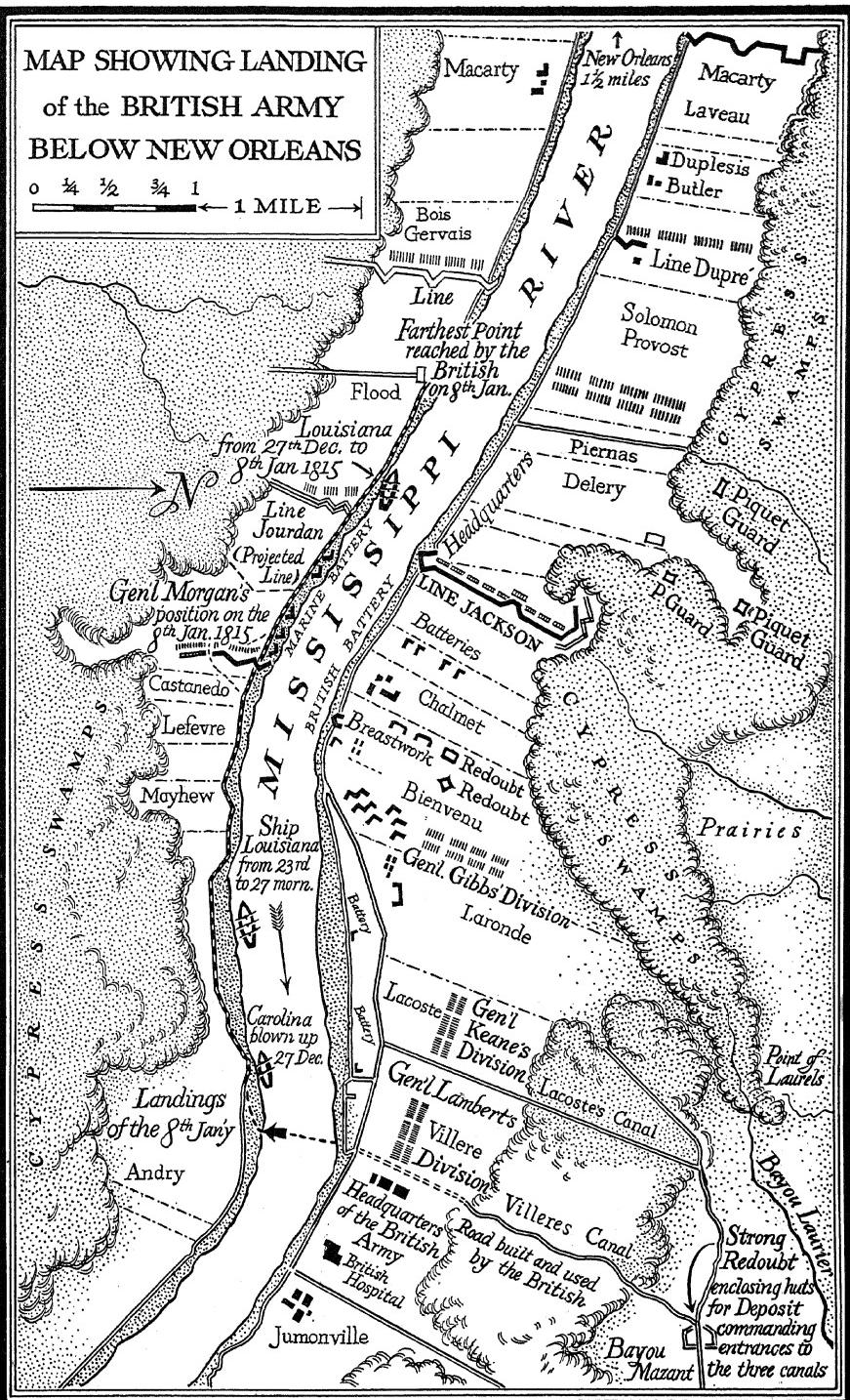
Feverish activity followed. General Coffee above Baton Rouge received Jackson's summons on the evening of December 17, and marched the next morning with twelve hundred and fifty men. In two days he made one hundred and twenty miles, camping on the night of December 19 within fifteen miles of New Orleans, with eight hundred men. Carroll, with the Tennessee brigade which left Nashville November 27, arrived at New Orleans December 21, and a squadron of mounted Mississippi volunteers hurried down. The British also lost no time. Their advance disembarked on the Isle aux Poix in Lake Borgne on the night of December 14, and during the following week all the boats and seamen of the fleet were occupied in transporting seven thousand men, with their equipment, thirty miles from the fleet to the island.

During the night of December 18 two British officers reconnoitered the head of Lake Borgne. At the mouth of Bayou Bienvenu, not fifteen miles from New Orleans, was a fishermen's village. The fishermen were Spaniards, with no love for the United States, and ready to accept British pay. They received the two British officers, and conveyed them in a canoe up the bayou to the Villeré plantation on the bank of the Mississippi, only six miles from New Orleans. There, at their leisure, Lieutenant Peddie of the quartermaster's department and Captain Spencer of the *Carron* selected the line of advance for the British army, and returned, unmolested and unseen, through the bayou to the lake and the Isle aux Poix.

Only December 21, two days after the British reconnaissance, was an American picket of eight men and a sergeant placed at the fishermen's village, where they remained thirty-six hours without learning that British officers had been on the spot or that the fishermen were all away, acting as pilots for the approaching British boats. Meanwhile, the troops at Isle aux Poix were ready to move almost as soon as Lieutenant Peddie could return to show them the way. At ten o'clock on the morning of December 22, the light brigade — sixteen hundred and eighty-eight rank-and-file, under Colonel Thornton, who had led the advance at Bladens-

MAP SHOWING LANDING  
of the BRITISH ARMY  
BELOW NEW ORLEANS

0  $\frac{1}{4}$   $\frac{1}{2}$   $\frac{3}{4}$  1  
1 MILE





burg — embarked in boats, and after a day on the lake arrived the next morning, December 23, at daylight, without giving alarm, at the fishermen's village, where they surprised and captured the picket, and then, passing up the bayou five miles, landed at a point about three miles from the Mississippi River. No attempt at concealment was made. The troops were formed in column, and found no obstacles to their march except the soft ground and the ditches. Through reeds and cypress swamp they made their way about three miles, when their advance suddenly entered open fields skirted by an orange grove, with the broad Mississippi beyond. They were on the Villeré plantation; and they surprised and captured Major Villeré and his militia company, in his own house at noonday, after a march of three miles with sixteen hundred men, from a point which had been recognized by Jackson as one of two or three necessary avenues of approach.

The record of American generalship offered many examples of misfortune, but none so complete as this. Neither Hull nor Harrison, neither Winder nor Samuel Smith, had allowed a large British army, heralded long in advance, to arrive within seven miles unseen and unsuspected, and without so much as an earthwork, a man, or a gun between them and their object. The disaster was unprecedented, and could be repaired only by desperate measures.

The defense of New Orleans resembled the defense of Washington until the moment when in each case the British expedition came within sight. Jackson was even slower than Winder to see the point of danger or to concentrate his forces. At Washington, Winder took command July 1, and the British expedition arrived August 16; at Mobile, Jackson took command August 16, and the British expedition arrived December 14. In neither case was the interval seriously employed for defense. So much was Jackson misled that he collected no troops and made no inquiry as to the military means at his disposal at New Orleans.

If until the moment of the enemy's appearance, Jackson showed no more military capacity than was shown by Winder, his conduct thenceforward offered a contrast the more striking because it proved how Washington might have been saved. Winder lost his head when he saw an enemy. Jackson needed to see his enemy in order to act; he thought rightly only at the moment when he struck. At noon, December 23, New Orleans was in greater danger than Washington on the afternoon of

August 23, when the British advanced from the Patuxent. Had Colonel Thornton followed his impulses and marched directly on the city, he must have reached it before a gun could have been fired by the Americans; his own muskets would have given the first news of his arrival. Major-General Keane, his commanding officer, preferred caution, and his delay gave a few hours' time for Jackson to show his qualities.

Fortunately Major Latour, chief engineer in Military District No. 7, had been sent that morning to examine the approaches from Lake Borgne, and as he rode down the road at noon he met persons flying toward town with news that the British had penetrated through the canal to Villeré's house. On the morning of December 23, Latour approached within rifle-shot of the British force, and judged their number accurately as sixteen or eighteen hundred men. Such exact information, which could not have been gained from any ordinary scout, was invaluable. Latour hastened to headquarters, and reported at two o'clock to Jackson the position and numbers of the enemy. The General, on that information, decided to attack.

For such a purpose Jackson's resources were ample. Against Thornton's force, numbering one thousand six hundred and eighty-eight rank-and-file, or about nineteen hundred men all told, Jackson could oppose about five thousand Infantry with two field-pieces.

Besides these land forces, Jackson was provided with another resource. In the river at New Orleans lay a war-schooner, the *Carolina*, rated at fourteen guns, armed with one long twelve-pounder and six twelve-pound carronades on a broadside. A sixteen-ton sloop-of-war, the *Louisiana*, was also at New Orleans, but not ready for immediate use. The *Carolina* could be brought instantly into action, and her broadside of seven twelve-pounders, added to the field-battery of two six-pounders, gave Jackson immense advantage over the British, who had no artillery except two three-pounders and rockets, and whose lines must be enfiladed by the *Carolina's* fire.

Jackson, aware of his superiority, expected with reason to destroy the British detachment. He did not even think more than half his force necessary for the purpose, but detached the whole of Carroll's brigade and the three regiments of city militia — fully twenty-five hundred men — to guard the town against an apprehended attack from the north.

Jackson did not, like Winder, pass the hours in looking at his enemy,

nor did he, like General Smith at Baltimore, send out militia under militia officers, to stand in close order on an open field and wait attack. His chief difficulty was due to the ground, which obliged him to make his main assault in a narrow column along the road. To gain the advantage of his numbers, he detached Coffee with seven hundred and thirty-two men, mostly armed with rifles, to make a detour toward the left and fall on the British flank and rear, while Jackson himself, with fourteen hundred men and two guns, should strike the British advance where it was posted on the levee.

Commodore Patterson in the *Carolina* received his orders at half-past six, and getting out sweeps, brought his vessel in a few minutes abreast of the British camp, where he anchored close inshore and began a heavy fire, soon after seven o'clock. Ten minutes later, Jackson, waiting about two miles above, ordered his men to advance, and moving down the road with his regulars and New Orleans companies struck the British outposts about a mile below his point of departure, at a few minutes before eight o'clock. At the same time Coffee, as he marched along the edge of the swamp, hearing the signal, wheeled to the right, and moved toward the British flank.

At the point where the fighting began, the British had merely an outpost, which was forced back by Jackson's attack, with some difficulty, about one hundred and fifty yards. Colonel Thornton ordered two of his regiments to support the outpost, and their arrival checked Jackson's advance. Indeed, the American line was driven back and lost ground, until the two field-pieces were in danger, and were hastily withdrawn. Each party claimed that the other first withdrew from fire; but the American report admitted that the battle which began on the levee at eight ceased before nine, while Jackson seemed not to regard his attack as successful. His first brief report, written December 26, said, 'The heavy smoke occasioned by an excessive fire rendered it necessary that I should draw off my troops, after a severe conflict of upward of an hour.'

The *Carolina* began firing soon after seven o'clock, and ceased at nine. Jackson's attack with the regulars began at eight o'clock, and his force ceased firing before nine. Coffee withdrew his men at about half-past nine. The hope of destroying the British force was disappointed.

Conscious that the British army would advance as soon as its main body arrived, Jackson, like Brown, hastened to place his men under cover

of works. Falling back the next morning about two miles, he took position behind an old canal or ditch which crossed the strip of cultivated ground where it was narrowest. Had the British been able to advance in force at any time the next day, December 24, directing their attack toward the skirts of the swamp to avoid the *Carolina's* fire, they might have forced Jackson back upon New Orleans; but they were in no disposition to do on the twenty-fourth what they had not ventured to do on the twenty-third, when they possessed every advantage. The day and night of December 24 were occupied by the British in hurrying the main body of their troops from the Isle aux Poix across Lake Borgne to the Bayou Bienvenu.

On the morning of December 25, all were concentrated at the Villeré plantation. With them arrived Major-General Sir Edward Pakenham, and took command. Hitherto the frequent British disasters at Plattsburg, Sackett's Harbor, Fort Erie, and the Moravian towns had been attributed to their generals. Sir George Prevost, Major-Generals Drummond and Riall, and Major-General Proctor were not officers of Wellington's army. The British Government, in appointing Sir Edward Pakenham to command at New Orleans, meant to send the ablest officer at their disposal. Pakenham was not only one of Wellington's best generals, but stood in the close relation of his brother-in-law, Pakenham's sister being Wellington's wife. In every military respect Sir Edward Pakenham might consider himself the superior of Andrew Jackson. He was in the prime of life and strength, thirty-eight years of age, while Jackson, nearly ten years older, was broken in health and weak in strength. Pakenham had learned the art of war from Wellington, in the best school in Europe. He was supported by an efficient staff and a military system as perfect as experience and expenditure could make it, and he commanded as fine an army as England could produce, consisting largely of Peninsula veterans.

The navy provided about twelve hundred marines and seamen, perhaps the most efficient corps in the whole body. Deducting eight hundred men for camp duty, Pakenham, according to British official reports, could put in the field a force of eight thousand disciplined troops, well-officered, well-equipped, and confident both in themselves and in their commander. More were on their way.

Jackson's difficulties were very great, and were overcome only by the desperate energy which he infused even into the volatile creoles and

sluggish Negroes. When he retired from the field of the night battle, he withdrew, as has been told, only two miles. About five miles below New Orleans he halted his troops. Between the river and the swamp, the strip of open and cultivated land was there somewhat narrower than elsewhere. A space of a thousand yards, or about three-fifths of a mile, alone required strong defense. A shallow dry canal, or ditch, ten feet wide, crossed the plain and opened into the river on one side and the swamp on the other. All day the troops, with the Negroes of the neighborhood, worked, deepening the canal, and throwing up a parapet behind it. The two six-pound field-pieces commanded the road on the river bank, and the *Louisiana* descended the river to a point about two miles below Jackson's line. A mile below the *Louisiana*, the *Carolina* remained in her old position, opposite the British camp.

The first act of Sir Edward Pakenham gave the Americans at least three days for preparation. Even veteran soldiers, who were accustomed to storming mountain fortresses held by French armies, were annoyed at exposing their flank to the fire of fifteen or twenty heavy guns, which hampered not only every military movement, but also every motion beyond cover of the bank. Pakenham sent instantly to the fleet for cannon to drive the ships away. In reality he could not so relieve himself, for the American commodore soon placed one twenty-four-pound gun and two twelve-pounders in battery on the opposite bank of the river, where they answered every purpose of annoyance, while the ships after December 28 took little part in action. Pakenham gained nothing by waiting; but he would not advance without artillery, and the sailors, with much labor, brought up a number of light guns—nine field-pieces, it was said, two howitzers, and a mortar. At daylight, December 27, the guns were ready. Five pieces suddenly opened with hot shot and shell on the *Carolina*, and in half an hour obliged the crew to abandon her. The *Louisiana*, by extreme exertion, was hauled beyond range while the British battery was occupied in destroying the *Carolina*.

Nothing then prevented Pakenham's advance, and the next morning, December 28, the whole army moved forward.

On we went [said the Subaltern] for about three miles, without any halt or hindrance, either from man or inanimate nature, coming in our way. But all at once a spectacle was presented to us, such indeed as we ought to have looked for, but such as manifestly took our leaders by surprise.

The enemy's army became visible. It was posted about forty yards in rear of a canal, and covered, though most imperfectly, by an unfinished breastwork.

The British left, coming under the fire of the *Louisiana*, was immediately halted and placed as far as possible under cover. The skirmishers in the swamp were recalled. In the evening the whole army was ordered to retire beyond cannon-shot and hut themselves. They obeyed; but 'there was not a man among us who failed to experience both shame and indignation.'

In effect, Pakenham's withdrawal December 28 was equivalent to admitting weakness in his infantry and to calling on the artillery as his strongest arm. The experiment showed little self-confidence. Not only must he sacrifice two or three days in establishing batteries, but he must challenge a contest with cannon — weapons which the Americans were famous for using, both afloat and ashore, with especial skill. Jackson could also mount heavy guns and allow Pakenham to batter indefinite lines. Sooner or later Pakenham must storm, unless he could turn the American position.

The artillery battle of January 1, 1815, offered the best test furnished during the war of relative skill in the use of that arm. The attack had every advantage over the defense. The British could concentrate their fire to effect a breach for their troops to enter; the Americans were obliged to disperse their fire on eight points. The American platforms, being elevated, offered a better target than was afforded by the low British batteries, and certainly were no better protected. Three of the American guns were in battery across the river, three-quarters of a mile from the main British battery of six eighteen-pounders, while the *Louisiana*'s carronades were beyond range, and the *Louisiana* herself was not brought into action. On the American side the battle was fought entirely by the guns in Jackson's lines and in Patterson's battery across the river — one thirty-two-pounder, four twenty-four-pounders, one eighteen-pounder, five twelve-pounders, three six-pounders, and a howitzer — fifteen American guns in all, matched against ten British eighteen-pounders, four twenty-four-pound carronades, and ten field-pieces and howitzers — twenty-four guns in all. If the British field-pieces were twelves and nines, the weight of metal was at least three hundred and fifty pounds on the British side against two hundred and twenty-four pounds on the American side, besides two howitzers against one.

The main British batteries were about seven hundred yards distant from Jackson's line. Behind the British batteries the British army waited for the order to assault. Toward eight o'clock on the morning of January 1, 1815, the British opened a hot fire accompanied by a shower of rockets. The American guns answered, and the firing continued without intermission until toward noon, when the British fire slackened, and at one o'clock the British artillerists abandoned their batteries, leaving the guns deserted.

No other battle of the war, except that at Chrystler's Farm, left the defeated party with so little excuse for its inferiority. Commonly apologists ascribed greater force to the victor than to the vanquished, or dwelt upon some accident or oversight which affected the result. For the defeat of the British artillery, January 1, 1815, no excuse was ever suggested. The British army and navy frankly admitted that the misfortune was due to American superiority in the use of artillery. British evidence on that point was ample, for their surprise and mortification were extreme; while the Americans seemed never fully to appreciate the extraordinary character of the feat they performed.

Effectually stopped by these repeated miscarriages, General Pakenham, with fully five thousand good soldiers at his command, decided to wait an entire week for Major-General Lambert, who was then on his way with two fresh regiments. In the meanwhile, Pakenham adopted a suggestion, made first by Vice-Admiral Cochrane, to prepare for throwing a force across the river to turn Jackson's line from the opposite bank.

From this week of inaction the Americans gained little advantage. The lines were strengthened; but although the Kentucky reinforcements, more than two thousand in number, under General Thomas and John Adair, arrived January 4, they were ill-provided with arms, and Jackson could furnish them neither with arms, clothing, nor equipment.

In his direct front, therefore, Jackson had reason to think that the British did not intend serious attack. Their next attempt could hardly fail to be a flanking movement. Jackson had been surprised, December 23, by such a movement, and feared nothing so much as to be surprised again. For this reason he still kept a large body of troops, three regiments of Louisiana militia, on the north of the city. He kept close watch on the bayous which extended on his immediate flank, and constructed other lines in his rear to which he could retreat in case his left flank should

be turned through the swamp. Apparently the idea did not occur to him that the British might more easily turn his right flank by throwing a force across the river; and when he learned, January 7, that the British were engaged in making this movement, the time had already passed when he could prevent it.

Seven or eight hundred tired, ill-armed, and unprotected militia, divided in two bodies a mile apart, waited on the west bank to be attacked by a British column which was then in the act of crossing the river. Their defeat was almost certain. A thousand British troops could easily drive them away, capture all the batteries on the west bank, destroy the *Louisiana* as they had destroyed the *Carolina*, thus turning all Jackson's lines, and probably rendering necessary the evacuation of New Orleans. The movement was ordered for the night of January 7, and was to be made in boats already collected in the Villeré canal.

With some hesitation Pakenham decided to make a simultaneous attack on Jackson. The arrangements for this assault were simple. The usual store of fascines and ladders was provided. Six of the eighteen-pound guns were once more mounted in battery about eight hundred yards from the American line, to cover the attack. The army was organized in three divisions — one, under Major-General Gibbs, to attack Jackson's left; another, under Major-General Keane, to attack along the river side; a third, the reserve, to be commanded by Major-General Lambert.

Of the whole British force, some eight thousand rank-and-file, fifty-three hundred were to assault Jackson's line; twelve hundred were to cross the river; eight hundred and fifty men were detailed for various duties; and the seamen, except two hundred with Colonel Thornton, must have been in the boats.

To meet this assault, Jackson held an overwhelming force, in which his mere numbers were the smallest element. According to a detailed account given by Jackson two years afterward, his left wing, near the swamp, was held by Coffee's brigade of eight hundred and four men; his center, by Carroll's brigade of fourteen hundred and fourteen men; his right, near the river, by thirteen hundred and twenty-seven men, including all the regulars; while Adair's Kentucky brigade were in reserve.

Pakenham, aware of the probable consequences of attacking by daylight, arranged for moving before dawn; but his plan required a simulta-

neous advance on both banks of the river, and such a combination was liable to many accidents. At six o'clock in broad dawn, the columns of Gibbs and Keane moved forward toward Jackson's works, which were lined with American troops waiting for the expected attack. Gibbs's column came first under fire, advancing near the swamp in close ranks of about sixty men in front. Three of the American batteries opened upon them. Coming within one hundred and fifty yards of the American line, the British column obliqued to the left to avoid the fire of the battery directly in face. As they came within musketry range the men faltered and halted, beginning a confused musketry fire. A few platoons advanced to the edge of the ditch, and then broke. Their officers tried in vain to rally them for another advance. Major-General Gibbs was mortally wounded, according to the official report, 'within twenty yards of the glacis.' Pakenham himself rode forward to rally Gibbs's column, and was instantly struck by a grapeshot and killed, nearly three hundred yards from the American line. 'As I advanced with the reserve,' said Lambert's report, 'at about two hundred and fifty yards from the line, I had the mortification to observe the whole falling back upon me in the greatest confusion.'

Keane's column on the left moved along the road and between the river and the levee. Pressing rapidly forward, greatly annoyed by Patterson's battery on the west bank, the head of this column reached the American line, and stormed an unfinished redoubt outside the main work at the edge of the river. The concentrated fire of the whole American right almost immediately drove the column back in disorder; the men who reached the redoubt were killed; Major-General Keane was severely wounded and carried off the field, while the casualties among officers of a lower grade were excessive.

Just as the main attack ended, Colonel Thornton, with his six hundred rank-and-file, having landed on the west bank, turned the redoubt, and advanced on Patterson's heavy battery beyond. Patterson unable to use his guns had no choice but to spike his pieces and retreat. Thornton passed up the river a mile beyond Jackson's line, and needed only a field-piece and some hot shot to burn the *Louisiana* and march opposite New Orleans.

Jackson ordered General Humbert, a French officer acting as a volunteer, to take four hundred men and cross the river at New Orleans to

repulse the enemy, cost what it might; but had the enemy pressed his advantage, no force at Jackson's command could have stopped their advance, without causing the sacrifice of Jackson's lines. Fortunately, the only remaining British general, Lambert, was not disposed to make another effort. The eight regiments of regular troops which made the bulk of Pakenham's army had suffered severely in the assault. One of these regiments, the Eighty-Fifth, was with Thornton on the west shore. Two, the Seventh and Forty-Third, had been in the reserve, and except two companies had never approached the works within musket-shot, yet had lost fifty-two killed and about one hundred wounded and missing, in an aggregate of less than eighteen hundred. The five remaining regiments — the Fourth, Twenty-First, Forty-Fourth, Ninety-Third, and Ninety-Fifth — were nearly destroyed. They went into battle probably about three thousand strong; they lost seventeen hundred and fifty men killed, wounded, and missing. The total British loss was two thousand and thirty-six. The American loss was seventy-one.

The loss of three major-generals was almost as serious as the loss of one-third of the regular infantry. Lambert, the fourth major-general, weighed down by responsibility and defeat, had no wish but to escape. He recalled Thornton's corps the same evening from its position on the opposite bank, and the next day, January 9, began preparations for his difficult and hazardous retreat.

On the night of January 18, after making careful preparations, the whole British force silently withdrew to fortified positions at the mouth of the bayou, disappearing as suddenly and mysteriously as it came, and leaving behind it only eight or, according to the American report, fourteen of the guns which had covered the river and held the *Louisiana* at a distance. At the mouth of the bayou the army remained until January 27, when it was re-embarked in the ships off Chandeleur's Island.

Notwithstanding the disastrous failure of the campaign before New Orleans, the British expedition, as it lay off Chandeleur Island February 1, still possessed nearly as much strength as when it appeared there December 11. Reinforced by a thousand fresh soldiers, Lambert determined to attack Mobile. 'It was decided,' reported Lambert, 'that a force should be sent against Fort Bowyer, situated on the eastern point of the entrance of the bay, and from every information that could be obtained it was considered that a brigade would be sufficient for this object,

with a respectable force of artillery.' At daylight on the morning of February 8, a whole brigade and a heavy battering-train were disembarked in the rear of Fort Bowyer.

Although Fort Bowyer was known to be untenable against attack by land, Jackson not only retained Lieutenant-Colonel Lawrence there, but increased his force until he had three hundred and sixty men in his command — equal to the average strength of an entire regiment, or half the force of regulars which Jackson commanded at New Orleans. This garrison was only large enough to attract, not to repel, an enemy.

Colonel Lawrence had no choice but to capitulate, which he did February 11. He had not even the opportunity to resist, for the British made regular approaches, and could not be prevented from capturing the place without the necessity of assault. Jackson reported to the Secretary of War that this event was one which he 'little expected to happen but after the most gallant resistance; that it should have taken place without even a fire from the enemy's batteries is as astonishing as it is mortifying.' In truth, the military arrangements, not Lawrence's defense, were responsible for the result; and Jackson had reason to fear that a greater disaster was at hand, for unless General Winchester should promptly evacuate Mobile, the disaster of the river Raisin was likely to be repeated on a larger scale.

## CHAPTER NINETY-NINE

### *The Treaty of Ghent*

DURING THE SPRING AND SUMMER OF 1814 the task of diplomacy was less hopeful than that of arms. Brown and Izard with extreme difficulty defended the frontier; but Gallatin and Bayard could find no starting-point for negotiation. Allowed by Castlereagh's courtesy to visit England, they crossed the Channel in April and established themselves in London. There Gallatin remained until June 21, waiting for the British Government to act, and striving with tact, caution, and persistency to bring both Governments on common ground; but the attempt was hopeless. England was beside herself with the intoxication of European success.

Immediately after the capitulation of Paris, March 31, the Ministry turned its attention to the United States, and the *Courier* announced, April 15, that twenty thousand men were to go from the Garonne to America. Twenty thousand men were about two-thirds of Wellington's English force, and their arrival in America would, as every Englishman believed, insure the success of the campaign. Not until these troops were embarked would the Ministry begin to negotiate; but in the middle of May, the military measures were complete, and then the *Courier* began to prepare the public mind for terms of peace.

The United States were to be interdicted the fisheries; Spain was to be supported in recovering Louisiana; the right of impressment must be expressly conceded — anything short of this would be unwise and a disappointment. Such language offered no apparent hope of peace; yet whatever hope existed lay in Castlereagh, who inspired it. Extravagant as the demands were, they fell short of the common expectation.

'Lord Castlereagh,' wrote Gallatin to Clay, 'is, according to the best information I can collect, the best-disposed man in the Cabinet.' Yet Castlereagh did not venture at that stage to show a disposition for peace. He delayed the negotiation, perhaps wisely, six weeks after the American negotiators had assembled at Ghent; and his instructions to the British commissioners, dated July 28, reflected the demands of the press. They offered, not the *status ante bellum*, but the *uti possidetis*, as the starting-point of negotiation. The state of possession, in view of the orders that

had then been given, or were to be given, for the invasion of the United States, was likely to cost the Americans half of Maine, between the Penobscot and the Passamaquoddy; Plattsburg, and the northern part of New York, Vermont, and New Hampshire; Fort Niagara, Mackinaw, and possibly New Orleans and Mobile. Besides this concession of the *uti possidetis*, or military occupation at the date of peace, the Americans were required at the outset to admit as a *sine qua non*, or condition precedent to any negotiation, that England's Indian allies, the tribes of the Northwestern Territory, should be included in the pacification, and that a definite boundary should be assigned to them under a mutual guaranty of both Powers. Eastport, or Moose Island, and the fishing privileges were to be regarded as British.

Between Castlereagh's ideas and those of Madison no relation existed. Gallatin and his colleagues at Ghent were provided with two sets of instructions. The first set had been written in 1813, for the expected negotiation at Petersburg. The second set was written in January, 1814, and was brought to Europe by Clay. Neither authorized the American commissioners to discuss such conditions as Castlereagh proposed. The President gave his negotiators authority to deal with questions of maritime law; but even there they were allowed to exercise no discretion on the chief issue in dispute. Monroe's latest letter, dated January 28, was emphatic. 'On impressment, as to the right of the United States to be exempted from it, I have nothing to add,' said the Secretary; 'the sentiments of the President have undergone no change on that important subject. This degrading practice must cease; our flag must protect the crew, or the United States cannot consider themselves an independent nation.'

On territorial questions the two Governments were equally wide apart. So far from authorizing a cession of territorial rights, Monroe instructed the American commissioners, both at St. Petersburg and at Ghent, 'to bring to view the advantage to both countries which is promised by a transfer of the upper parts and even the whole of Canada to the United States.'

These instructions were subsequently omitted from the published documents, probably because the Ghent commissioners decided not to act upon them; but when the American negotiators met their British antagonists at Ghent, each party was under orders to exclude the other, if

possible, from the Lakes, and the same divergence of opinion in regard to the results of two years' war extended over the whole field of negotiation. The British were ordered to begin by a *sine qua non* in regard to the Indians, which the Americans had no authority to consider. The Americans were ordered to impose a *sine qua non* in regard to impressments, which the British were forbidden to concede. The British were obliged to claim the basis of possession; the Americans were not even authorized to admit the status existing before the war. The Americans were required to negotiate about blockades, contraband, and maritime rights of neutrals; the British could not admit such subjects into dispute. The British regarded their concessions of fishing-rights as terminated by the war; the Americans could not entertain the idea.

The diplomacy that should produce a treaty from such discordant material must show no ordinary excellence; yet even from that point of view the prospect was not encouraging. The British Government made a peculiar choice of negotiators. The chief British commissioner, Lord Gambier, was unknown in diplomacy, or indeed in foreign affairs. A writer in the London *Morning Chronicle* of August 9 expressed the general surprise that Government could make no better selection for the chief of its commission than Lord Gambier, 'who was a post-captain in 1794, and happened to fight the *Defence* decently in Lord Howe's action; who slumbered for some time as a Junior Lord of the Admiralty; who sung psalms, said prayers, and assisted in the burning of Copenhagen, for which he was made a lord.'

Gambier showed no greater fitness for his difficult task than was to be expected from his training; and the second member of the commission, Henry Goulburn, could not supply Gambier's deficiencies. Goulburn was Under-Secretary of State to Lord Bathurst; he was a very young man, but a typical under-secretary, combining some of Francis James Jackson's temper with the fixed opinions of the elder Rose, and he had as little idea of diplomacy as was to be expected from an Under-Secretary of State for the colonies. The third and last member was William Adams, Doctor of Civil Law, whose professional knowledge was doubtless supposed to be valuable to the commission, but who was an unknown man, and remained one.

Experience had not convinced the British Government that in dealing with the United States it required the best ability it could command.

The mistake made by Lord Shelburne in 1783 was repeated by Lord Castlereagh in 1814. The miscalculation of relative ability which led the Foreign Office to assume that Gambier, Goulburn, and William Adams were competent to deal with Gallatin, J. Q. Adams, J. A. Bayard, Clay, and Russell was not reasonable.

The five American commissioners were ready to negotiate in June; but Castlereagh, for obvious reasons, wished delay, and deferred action until August, doubtless intending to prevent the signature of a treaty on the basis of *uti possidetis* until after September, when Sherbrooke and Prevost should have occupied the territory intended to be held. In May and June no one in England, unless it were Cobbett, entertained more than a passing doubt of British success on land and water; least of all did the three British commissioners expect to yield British demands. They came to impose terms, or to break negotiation.

At one o'clock on the afternoon of August 8, the first conference took place in the Hôtel des Pays Bas at Ghent. After the usual civilities and forms had passed, Goulburn took the lead, and presented the points which he and his colleagues were authorized to discuss: (1) Impressment and allegiance; (2) the Indians and their boundary, a *sine qua non*; (3) the Canadian boundary; (4) the privilege of landing and drying fish within British jurisdiction. Goulburn declared that it was not intended to contest the right of the United States to the fisheries, by which he probably meant the deep-sea fisheries; and he was understood to disavow the intention of acquiring territory by the revision of the Canada boundary; but he urged an immediate answer upon the question whether the Americans were instructed on the point made a *sine qua non* by the British Government.

The British commissioners avowed the intention of erecting the Indian Territory into a barrier between the British possessions and the United States; and the American commissioners declined even to retire for consultation on the possibility of agreeing to such an article. The British commissioners then proposed to suspend conferences until they could receive further instructions, and their wish was followed. Both parties sent dispatches to their Governments.

Lord Castlereagh was prompt. As soon as was reasonably possible he sent more precise instructions. Dated August 14, these supplementary instructions gave to those of July 28 a distinct outline. They proposed

the Indian boundary fixed by the Treaty of Greenville for the permanent barrier between British and American dominion, beyond which neither Government should acquire land. They claimed also a 'rectification' of the Canadian frontier and the cession of Fort Niagara and Sackett's Harbor, besides a permanent prohibition on the United States from keeping either naval forces or land fortifications on the Lakes. Beyond these demands the British commissioners were not for the present to go, nor were they to ask for a direct cession of territory for Canada 'with any view to an acquisition of territory as such, but for the purpose of securing her possessions and preventing future disputes'; yet a small cession of land in Maine was necessary for a road from Halifax to Quebec, and an arrangement of the northwestern boundary was required to coincide with the free navigation of the Mississippi.

As soon as the new instructions reached Ghent, the British commissioners summoned the Americans to another conference, August 19; and Goulburn, reading from Castlereagh's dispatch, gave to the Americans a clear version of its contents. When he had finished, Gallatin asked what was to be done with the American citizens — perhaps one hundred thousand in number — already settled beyond the Greenville line, in Ohio, Indiana, Illinois, and Michigan? Goulburn and Doctor Adams replied that these people must shift for themselves. They added also that Moose Island and Eastport belonged to Great Britain as indisputably as the county of Northamptonshire, and were not a subject for discussion; but they would not then make a *sine qua non* of the proposition regarding the Lakes. The conference ended, leaving the Americans convinced that their answer to these demands would close the negotiation. Clay alone, whose knowledge of the Western game of brag stood him in good stead, insisted that the British would recede.

The British commissioners the next day, August 20, sent an official note containing their demands, and the Americans before sending their reply forwarded the note to America, with dispatches dated August 19 and 20, announcing that they intended to return 'a unanimous and decided negative.' They then undertook the task of drawing up their reply. At the moment when they gave final shape to the note which they believed would render peace impossible, the army of General Ross was setting fire to the Capitol at Washington and President Madison was seeking safety in the Virginia woods.

The British note of August 19 and the American rejoinder of August 24 brought about a situation where Lord Castlereagh's influence could make itself felt. Castlereagh had signed the British instructions of July 28 and August 14, and himself brought the latter to Ghent, where he passed August 19, before going to Paris on his way to the Congress at Vienna. When he received at Paris letters from Goulburn, dated August 24 and 26, he expressed annoyance that the American commissioners should have been allowed to place England in the attitude of continuing the war for purposes of conquest, and still more that the British commissioners should be willing to accept that issue and break off negotiation upon it.

Lord Liverpool shared his disapproval of the manner in which the British commissioners had managed the case, and replied to Castlereagh that the Cabinet had already acted in the sense he wished: 'Our commissioners had certainly taken a very erroneous view of our policy. If the negotiation had been allowed to break off upon the two notes already presented, or upon such an answer as they were disposed to return, I am satisfied that the war would have become quite popular in America.'

New instructions were accordingly approved in Cabinet. Drawn by Bathurst, and dated September 1, they contained what Liverpool considered an 'irresistible answer' to the American note of August 24; but their force of logic was weakened by the admission that the previous British demands, though certainly stated as a *sine qua non*, were in reality not to be regarded as such.

Lord Gambier and his colleagues communicated their new instructions to the American negotiators in a long note dated September 4, and were answered by a still longer note dated September 9, which was also sent to London, and considered in Cabinet. Bathurst felt no anxiety about the negotiation in its actual stage. Goulburn wrote to him that 'as long as we answer their notes, I believe that they will be ready to give us replies,' and urged only that Sir George Prevost should hasten his reluctant movements in Canada.

Bathurst wrote more instructions, dated September 16, directing his commissioners to abandon the demands for Indian territory and exclusive control of the Lakes, and to ask only that the Indians should be included in the peace. The British commissioners sent their note with these concessions to the Americans September 19; and then for the first

time the Americans began to suspect the possibility of serious negotiation. For six weeks they had dealt only with the question whether they should negotiate at all.

The demand that the Indians should be included in the treaty was one that under favorable circumstances the Americans would have rejected; but none of them seriously thought of rejecting it as their affairs then stood. When the American commissioners discussed the subject among themselves, September 20, Adams proposed to break off the negotiation on that issue; but Gallatin good-naturedly overruled him, and Adams would not himself, on cool reflection, have ventured to take such responsibility. Indeed, he suggested an article for an Indian amnesty, practically accepting the British demand. He also yielded to Gallatin the ungrateful task of drafting the answers to the British notes; and thus Gallatin became in effect the head of the commission.

All Gallatin's abilities were needed to fill the place. In his entire public life he had never been required to manage so unruly a set of men. The British commissioners were trying; but with them Gallatin had little trouble. Adams and Clay were persons of a different type, as far removed from British heaviness as they were from the Virginian ease of temper which marked the Cabinet of Jefferson, or the incompetence which characterized that of Madison. Gallatin was obliged to exert all his faculties to control his colleagues; but whenever he succeeded, he enjoyed the satisfaction of feeling that he had colleagues worth controlling. They were bent on combat, if not with the British, at all events with each other; and Gallatin was partly amused and partly annoyed by the unnecessary energy of their attitude.

After much discussion their note was completed and sent, September 26, to the British commissioners, who forwarded it as usual to London, with a letter from Goulburn of the same date, written in the worst possible temper, and charging the American commissioners with making a variety of false and fraudulent statements.

Goulburn exerted himself to produce a rupture. His letter of September 26 to Bathurst treated the American offer of an Indian amnesty as a rejection of the British ultimatum. Again Lord Bathurst set him right by sending him, October 5, the draft of a reciprocal article replacing the Indians in their situation before the war; and the British commissioners, in a note dated October 8, 1814, communicated this article once more as

an ultimatum. None of the American negotiators were prepared to break off negotiation on that point at such a time, and Clay was so earnest to settle the matter that he took from Gallatin and Adams the task of writing the necessary acceptance of the British ultimatum. Gallatin and Clay decided to receive the British article as according entirely with the American offer of amnesty, and the note was so written.

With this cordial admission of the British ultimatum, the Americans coupled an intimation that the time had come when an exchange of general projects for the proposed treaty should be made. More than two months of discussion had then resulted only in eliminating the Indians from the dispute and in agreeing to maintain silence in regard to the Lakes. Another great difficulty which had been insuperable was voluntarily removed by President Madison and his Cabinet, who after long and obstinate resistance at last authorized the commissioners, by instructions dated June 27, to omit impressment from the treaty. Considering the frequent positive declarations of the United States Government, besides the rejection of Monroe's treaty in 1807 and of Admiral Warren's and Sir George Prevost's armistice of 1812 for want of an explicit concession on that point, Monroe's letter of June 27 was only to be excused as an act of common-sense or of necessity. The President preferred to represent it as an act of common-sense, warranted by the peace in Europe, which promised to offer no further occasion for the claim or the denial of the British right. On the same principle the subject of blockades was withdrawn from discussion; and these concessions, balanced by the British withdrawal from the Indian ultimatum and the Lake armaments, relieved the American commissioners of all their insuperable difficulties.

On the afternoon of October 17, while the British Cabinet was still deliberating on the basis of *uti possidetis*, news reached London that the British invasion of northern New York, from which so much had been expected, had totally failed, and that Prevost's large army had precipitately retreated into Canada. The failure of the attempt on Baltimore and Drummond's bloody repulse at Fort Erie became known at the same time, and coming together at a critical moment threw confusion into the Ministry and their agents in the press and the diplomatic service throughout Europe. Castlereagh at Vienna found himself unable to make the full influence of England felt, so long as such mortifying disasters

by land and sea proved her inability to deal with an enemy she persisted in calling contemptible.

On the American commissioners the news came, October 21, with the effect of a reprieve from execution. Gallatin was deeply moved; Adams could not believe the magnitude of the success. The British commissioners sent to them, October 21, new instructions, offering the basis of *uti possidetis*, subject to modifications for mutual convenience. The Americans by common consent declined to treat on that basis, or on any other than the mutual restoration of territory.

The American note created a feeling akin to consternation in the British Cabinet. At first, Ministers assumed that the war must go on, and deliberated only on the point to be preferred for a rupture. A week passed without bringing encouragement to the British Cabinet. On the contrary, the Ministry learned that a vigorous prosecution of hostilities would cost more than ten million pounds, and when Liverpool next wrote to Castlereagh, November 2, although he could still see 'little prospect for our negotiations at Ghent ending in peace,' he added that 'the continuance of the American war will entail upon us a prodigious expense, much more than we had any idea of.' A Cabinet meeting was to be held the next day, November 3, to review the whole course of policy as to America.

During this interval the negotiators at Ghent were left to follow their own devices. In order to provide the Americans with occupation, the British commissioners sent them a note dated October 31 calling for a counter-project, since the basis of *uti possidetis* was refused. Immediately the internal discords of the commission broke into earnest dispute. A struggle began between the East and the West over the fisheries and the Mississippi.

The Treaty of 1783 coupled the American right of fishing in British waters and curing fish on British shores with the British right of navigating the Mississippi River. For that arrangement the elder Adams was responsible. The fisheries were a Massachusetts interest. At Paris in 1783, John Adams, in season and out of season, with his colleagues and with the British negotiators, insisted, with the intensity of conviction, that the fishing rights which the New England people held while subjects of the British Crown were theirs by no grant or treaty, but as a natural right, which could not be extinguished by war; and that where British

subjects had a right to fish, whether on coasts or shores, in bays, inlets, creeks, or harbors, Americans had the same right, to be exercised wherever and whenever they pleased. John Adams's persistence secured the article of the definitive treaty, which, without expressly admitting a natural right, coupled the inshore fisheries and the navigation of the Mississippi with the recognition of independence. In 1814, as in 1783, John Adams clung to his trophies, and his son would have waged indefinite war rather than break his father's heart by sacrificing what he had won.

Had Adams encountered only British opposition he might have overcome it as his father had done; but since 1783 the West had become a political power, and Louisiana had been brought into the Union. If the fisheries were recognized as an indefeasible right by the Treaty of 1783, the British liberty of navigating the Mississippi was another indefeasible right, which must revive with peace. The Western people naturally objected to such a proposition. Either Clay or Adams was sure to refuse signing any treaty which expressly sacrificed the local interests of either.

In this delicate situation only the authority and skill of Gallatin saved the treaty. At the outset of the discussion, October 30, Gallatin quietly took the lead from Adams's hands, and assumed the championship of the fisheries by proposing to renew both privileges, making the one an equivalent for the other. Clay made no protest when, in conference with the British commissioners December 1, the Americans offered to renew both the disputed rights. Their proposal was sent to London, and was answered by Bathurst in a letter offering to set aside for future negotiation the terms under which the old fishing liberty and the navigation of the Mississippi should be continued for fair equivalents.

The British offer to reserve both disputed rights for future negotiation implied that both rights were forfeited, or subject to forfeit, by war — an admission which Adams could not make, but which the other commissioners could not reject. At that point Adams found himself alone. Even Gallatin admitted that the claim to the natural right of catching and curing fish on British shores was untenable, and could never be supported. Adams's difficulties were the greater because the question of peace and war was reduced to two points — the fisheries and Moose Island — both interesting to Massachusetts alone.

Adams continued to press his colleagues to assert the natural right to the fisheries and to insist on the permanent character of the Treaty of

1783; but Gallatin would not consent to make that point an ultimatum. All the commissioners except Adams resigned themselves to the sacrifice of the fisheries; but Gallatin decided to make one more effort before abandoning the struggle, and with that object drew up a note rejecting the British stipulation because it implied the abandonment of a right, but offering either to be silent as to both the fisheries and the Mississippi, or to admit a general reference to further negotiation of all subjects in dispute, so expressed as to imply no abandonment of right.

The note was signed and sent December 14, and the Americans waited another week for the answer. The extraordinary patience and judgment of Gallatin carried all the American points without sacrificing either Adams or Clay, and with no quarrel of serious importance on any side. When Lord Bathurst received the American note of December 14, he replied December 19, yielding the last advantage he possessed: 'The Prince Regent regrets to find that there does not appear any prospect of being able to arrive at such an arrangement with regard to the fisheries as would have the effect of coming to a full and satisfactory explanation on that subject'; but since this was the case, the disputed article might be altogether omitted.

Thus the treaty became simply a cessation of hostilities, leaving every claim on either side open for future settlement. The formality of signature was completed December 24, and closed an era of American history. In substance, the treaty sacrificed much on both sides for peace. The Americans lost their claims for British spoliations, and were obliged to admit question of their right to Eastport and their fisheries in British waters; the British failed to establish their principles of impressment and blockade, and admitted question of their right to navigate the Mississippi and trade with the Indians. Perhaps at the moment the Americans were the chief losers; but they gained their greatest triumph in referring all their disputes to be settled by time, the final negotiator, whose decision they could safely trust.

## CHAPTER ONE HUNDRED

### *Close of Hostilities*

ENGLAND received the Treaty of Ghent with feelings of mixed anger and satisfaction. The *Morning Chronicle* seemed surprised at the extreme interest which the news excited. The *Times* admitted the general joy, and denied only that it was universal. In truth, no one familiar with English opinion during the past ten years attempted to deny that the Government of England must admit one or the other of two conclusions — either it had ruinously mismanaged its American policy before the war or it had disgraced itself by the peace. The *Morning Chronicle*, while approving the treaty, declared that the Tories were on this point at odds with their own leaders: ‘Their attachment to the Ministers, though strong, cannot reconcile them to this one step, though surely if they would look back with an impartial eye on the imbecility and error with which their idols conducted the war, they must acknowledge their prudence in putting an end to it.’

The severe defeat at New Orleans became known at the moment when Napoleon, having quitted Elba, began his triumphal return to Paris. These news, coming in the midst of Corn Riots, silenced further discussion of American relations and left Ministers free to redeem at Waterloo the failures they had experienced in America.

In the United States news of peace was slow to arrive. The British sloop-of-war *Favorite* bore the dispatches, and was still at sea when the month of February began. The commissioners from Massachusetts and Connecticut, bearing the demands of the Hartford Convention, started for Washington. Everyone was intent on the situation of New Orleans, where a disaster was feared. Congress seemed to have abandoned the attempt to provide means of defense, although it began another effort to create a bank on Dallas’s plan. A large number of the most intelligent citizens believed that two announcements would soon be made — one, that New Orleans was lost; the other, that the negotiation at Ghent had ended in rupture. Under this double shock, the collapse of the National Government seemed to its enemies inevitable.

In this moment of suspense, the first news arrived from New Orleans. To the extreme relief of the Government and the Republican majority

in Congress, they learned, February 4, that the British invasion was defeated and New Orleans saved. The victory was welcomed by illuminations, votes of thanks, and rejoicings greater than had followed the more important success at Plattsburg or the more brilliant battles at Niagara; for the success won at New Orleans relieved the Government from a load of anxiety and postponed a crisis supposed to be immediately at hand. Half the influence of the Hartford Convention was destroyed by it; and the commissioners, who were starting for the capital, had reason to expect a reception less favorable by far than they would have met had the British been announced as masters of Louisiana.

A week afterward, on the afternoon of Saturday, February 11, the British sloop-of-war *Favorite* sailed up New York Harbor, and the city quickly heard rumors of peace. At eight o'clock that evening the American special messenger landed, bringing the official documents entrusted to his care; and when the news could no longer be doubted, the city burst into an uproar of joy. The messenger was slow in reaching Washington, where he arrived only on the evening of Tuesday, February 13, and delivered his dispatches to the Secretary of State.

Had the treaty been less satisfactory than it was, the President would have hesitated long before advising its rejection, and the Senate could hardly have gained courage to reject it. In spite of rumors from London and significant speculations on the London Exchange, known in America in the middle of January, no one had seriously counted on a satisfactory peace, as was proved by the steady depression of Government credit and of the prices of American staples. The reaction after the arrival of the news was natural, and so violent that few persons stopped to scrutinize the terms. Contrary to Clay's forebodings, the treaty, mere armistice though it seemed to be, was probably the most popular treaty ever negotiated by the United States. The President sent it to the Senate February 15; and the next day, without suggestion of amendment, and apparently without a criticism, unless from Federalists, the Senate unanimously confirmed it.

Senator Gore wrote to Governor Strong: 'The treaty must be deemed disgraceful to the Government who made the war and the peace, and will be so adjudged by all, after the first effusions of joy at relief have subsided.' Opinions differed widely on the question where the disgrace belonged — whether to the Government who made the war or to the

people who refused to support it; but no one pretended that the terms of peace, as far as they were expressed in the treaty, were so good as those repeatedly offered by England more than two years before. Yet the treaty was universally welcomed, and not a thought of continued war found expression.

In New England the peace was received with extravagant delight. While the Government messenger who carried the official news to Washington made no haste, a special messenger started from New York at ten o'clock Saturday night, immediately on the landing of the Government messenger, and in thirty-two hours arrived in Boston. Probably the distance had rarely been traveled in less time, for the Boston *Centinel* announced the expense to be two hundred and twenty-five dollars; and such an outlay was seldom made for rapidity of travel or news. As the messenger passed from town to town, he announced the tidings to the delighted people. Yet the terms of peace were wholly unknown, and the people of Massachusetts had every reason to fear that their interests were sacrificed for the safety of the Union. Their rejoicing over the peace was as unreasoning as their hatred of the war.

Only along the Canadian frontier, where the farmers had for three years made large profits by supplying both armies, the peace was received without rejoicing. South of New York, although less public delight was expressed, the relief was probably greater than in New England. Virginia had suffered most, and had felt the blockade with peculiar severity. A few weeks before the treaty was signed, Jefferson wrote:

By the total annihilation in value of the produce which was to give me sustenance and independence, I shall be like Tantalus — up to the shoulders in water, yet dying with thirst. We can make indeed enough to eat, drink, and clothe ourselves, but nothing for our salt, iron, groceries, and taxes which must be paid in money. For what can we raise for the market? Wheat? — we only give it to our horses, as we have been doing ever since harvest. Tobacco? — it is not worth the pipe it is smoked in.

While all Virginia planters were in this situation February 13, they awoke February 14 to find flour worth ten dollars a barrel and groceries fallen fifty per cent. They were once more rich beyond their wants.

As rapidly as possible the blockade was raised and ships were hurried to sea with the harvests of three seasons for cargo; but some weeks still passed before all the operations of war were closed. The news of peace

reached the British squadron below Mobile in time to prevent further advance on that place; but on the ocean a long time elapsed before fighting wholly ceased.

Some of the worst disasters as well as the greatest triumphs of the war occurred after the treaty of peace had been signed. The battle of New Orleans was followed by the loss of Fort Bowyer. At about the same time a British force occupied Cumberland Island on the southern edge of the Georgia coast, and January 13 attacked the fort at the entrance of the St. Mary's, and having captured it without loss, ascended the river the next day to the town of St. Mary's, which they seized, together with its merchandise and valuable ships in the river. Cockburn established his headquarters on Cumberland Island January 22, and threw the whole State of Georgia into agitation, while he waited the arrival of a brigade with which an attack was to be made on Savannah.

The worst disaster of the naval war occurred January 15, when the frigate *President* — one of the three American forty-fours, under Stephen Decatur, the favorite ocean hero of the American service — suffered defeat and capture within fifty miles of Sandy Hook. No naval battle of the war was more disputed in its merits, although its occurrence in the darkest moments of national depression was almost immediately forgotten in the elation of the peace a few days later.

The long, exciting, and splendid panorama of revolution and war, which for twenty-five years absorbed the world's attention and dwarfed all other interests, vanished more quickly in America than in Europe and left fewer elements of disturbance. The transformation scene of a pantomime was hardly more sudden or complete than the change that came over the United States at the announcement of peace. In a single day, almost in a single instant, the public turned from interests and passions that had supplied its thought for a generation and took up a class of ideas that had been unknown or but vaguely defined before.

At Washington the effect of the news was so extraordinary as to shake faith in the seriousness of party politics. Although the peace affected in no way party doctrine or social distinctions, a new epoch for the Union began from the evening of February 13, when the messenger from Ghent arrived with the treaty. No one stopped to ask why a government, which was discredited and falling to pieces at one moment, should appear as a successful and even a glorious national representative a moment

afterward. Politicians dismissed the war from their thoughts, as they dismissed the treaty, with the single phrase: 'Not an inch ceded or lost! The commissioners from Massachusetts and Connecticut who appeared at Washington with the recommendations of the Hartford Convention returned home as quietly as possible, pursued by the gibes of the press. The war was no more popular then than it had been before, as the subsequent elections proved; but the danger was passed, and passion instantly subsided.

Only by slow degrees the country learned to appreciate the extraordinary feat which had been performed, not so much by the people as by a relatively small number of individuals. Had a village rustic, with one hand tied behind his back, challenged the champion of the prize-ring and in three or four rounds obliged him to draw the stakes, the result would have been little more surprising than the result of the American campaign of 1814. The most intelligent and best-educated part of society both in the United States and in Great Britain could not believe it, and the true causes of British defeat remained a subject of conjecture and angry dispute.

February 20, the President sent to Congress a Message transmitting the treaty with its ratifications, and congratulating the country on the close of a war 'waged with the success which is the natural result of the wisdom of the legislative councils, of the patriotism of the people, of the public spirit of the militia, and of the valor of the military and naval forces of the country.'

The people were even more quick than the Government to adapt themselves to peace. In New Orleans alone a few weeks of alarm were caused by extraordinary acts of arbitrary power on the part of General Jackson during the interval before the peace became officially known; but public order was not seriously disturbed and the civil authority was restored March 13. Elsewhere the country scarcely stopped to notice the cost or the consequences of the war.

In truth the cost was moderate. Measured by loss of life in battle, it was less than that reported in many single battles fought by Napoleon. An army which never exceeded thirty thousand effectives, or placed more than four thousand regular rank-and-file in a single action could not sacrifice many lives. According to the received estimates the number of men killed in battle on land did not much exceed fifteen hundred, in-

cluding militia, while the total of killed and wounded little exceeded five thousand. Sickness was more fatal than wounds, but a population of eight millions felt camp diseases hardly more than its periodical malarial fevers.

The precise financial cost of the war, measured only by increase of debt, was equally moderate. During three years — from February, 1812, until February, 1815 — the Government sold six per cent bonds at various rates of discount, to the amount of fifty million dollars, and this sum was the limit of its loans, except for a few bank discounts of Treasury notes not exceeding a million in all. By forcing Treasury notes on its creditors, the Treasury obtained the use of twenty millions more. After the peace it issued bonds and new Treasury notes, which raised the aggregate amount of war debt, as far as could be ascertained, to about eighty million five hundred thousand dollars, which was the war addition to the old nominal capital of debt, and increased the total indebtedness to one hundred and twenty-seven millions at the close of the year 1815. The debt had exceeded eighty millions twenty years before, and in the interval the country had greatly increased its resources.

When the blockade of the coast was raised, every seaboard city was able instantly to resume its commercial habits without having greatly suffered from the interruption. The harvests of two seasons were ready for immediate export, and the markets of Europe were waiting to receive them. Every man found occupation, and capital instantly returned to its old channels. From the moment of peace the exports of domestic produce began to exceed five million dollars a month, while four millions was the highest average for any previous twelvemonth, and the average for the seven years of embargo and blockade since 1807 fell much short of two and a half millions.

The ease and rapidity of this revolution not only caused the war to be quickly forgotten, but also silenced political passions. For the first time in their history as a nation, the people of the United States ceased to disturb themselves about politics or patronage. Every political principle was still open to dispute, and was disputed; but prosperity put an end to faction. After the excitement of peace was past, as the summer drew toward a close, economical interests dwarfed the old political distinctions and gave a new character to parties. A flood of wealth poured into the Union at a steady rate of six or seven million dollars a month, and the

distribution of so large a sum could not fail to show interesting results. The returns soon proved that the larger portion belonged to the Southern States. Cotton, at a valuation of twenty cents a pound, brought seventeen and a half millions to the planters; tobacco brought eight and a quarter millions; rice produced nearly two million eight hundred thousand dollars. Of fifty millions received from abroad in payment for domestic produce within seven or eight months after the peace, the slave States probably took nearly two-thirds, though the white population of the States south of the Potomac was less than half the white population of the Union. The stimulus thus given to the slave system was violent, and was most plainly shown in the cotton States, where at least twenty million dollars were distributed in the year 1815 among a white population hardly exceeding half a million in all, while the larger portion fell to the share of a few slave-owners.

Ordinarily shipping was the source of New England's profits. For twenty-five years the wars in Europe had given to New England shipping advantages which ceased with the return of peace. At first the change of condition was not felt, for every ship was promptly employed; but the reappearance of foreign vessels in American harbors showed that competition must soon begin, and that the old rates of profit were at an end.

Had this been all, Massachusetts could have borne it; but the shipping on the whole suffered least among New England interests. The new manufactures, in which large amounts of capital had been invested, were ruined by the peace. If the United States poured domestic produce valued at fifty million dollars into the markets of Great Britain, Great Britain and her dependencies poured in return not less than forty million dollars' worth of imports into the United States, and inundated the Union with manufactured goods which were sold at any sacrifice to relieve the British markets. Although the imported manufactures paid duties of twenty-five per cent or more, they were sold at rates that made American competition impossible.

From every quarter the peace brought distress upon New England. During the war most of the richer prizes had been sent to New England ports, and the sale of their cargoes brought money and buyers into the country; but this monopoly ceased at the same moment with the monopoly of manufactures. The lumber trade was almost the last surviving interest of considerable value, but in November Parliament imposed

duties on American lumber which nearly destroyed the New England trade. The fisheries alone seemed to remain as a permanent resource.

At the close of the year 1815 the general effect of the peace was already well defined. The Southern States were in the full enjoyment of extraordinary prosperity. The Middle States were also prosperous and actively engaged in opening new sources of wealth. Only the Eastern States suffered under depression; but there it was so severe as to warrant a doubt whether New England could recover from the shock. The new epoch of American history began by the sudden decline of Massachusetts to the lowest point of relative prosperity and influence she had ever known, and by an equally sudden stimulus to the South and West. So discredited was Massachusetts that she scarcely ventured to complain, for every complaint uttered by her press was answered by the ironical advice that she should call another Hartford Convention.

## CHAPTER ONE HUNDRED AND ONE

### *Peace Legislation*

BETWEEN 1801 and 1815, great changes in the American people struck the most superficial observer. The Rights of Man occupied public thoughts less, and the price of cotton more, in the later than in the earlier time. Although in 1815, Europe was suffering under a violent reaction against free government, Americans showed little interest and no alarm, compared with their emotions of twenty years before. Napoleon resumed his empire and was overthrown at Waterloo, without causing the people of the United States to express a sign of concern in his fate; and France was occupied by foreign armies without rousing among Americans a fear of England. Foreign affairs seemed reduced to the question whether England would consent to negotiate a treaty of commerce.

After excluding most of the American demands, Lord Castlereagh consented to a commercial convention abolishing discriminating duties and admitting American commerce with the East Indies. This treaty, signed July 3, seemed to satisfy American demands, and the British Ministry showed no wish to challenge new disputes. With France, the disturbed condition of government permitted no diplomatic arrangement. The only foreign country that required serious attention was Algiers; and Decatur, with a strong squadron of the new American cruisers, speedily compelled the Dey to sign a treaty more favorable to the United States than he had yet signed with any other nation. Tunis and Tripoli showed a similar disposition, and Decatur returned home in the autumn, having settled to his satisfaction all the matters entrusted to his care.

Under such circumstances, without an anxiety in regard to foreign or domestic affairs, President Madison sent his Annual Message to Congress December 5, 1815. It told a pleasant story of successful administration and of rapidly growing income; but its chief historical interest lay in the lines of future party politics that Madison more or less unconsciously sketched. The Message proved, or seemed to prove, that Madison's views and wishes lay in the direction of strong government. He advised 'liberal provision' for defense; more military academies; an

improved and enlarged navy; effectual protection to manufactures; new national roads and canals; a national university; and such an organization of the militia as would place it promptly and effectually under control of the National Government. Madison seemed to take his stand, beyond further possibility of change, on the system of President Washington.

Dallas's report echoed the tone of Alexander Hamilton. Very long, chiefly historical, and interesting beyond the common, this Treasury Report of 1815 recommended a scale of annual expenditure exceeding twenty-seven millions, in place of the old scale of ten millions. The expenditure was to be but a part of the system. A protective tariff of customs duties was assumed to be intended by Congress, and a national bank was urged as the only efficient means by which the Government could recover control over the currency.

Although the President was less emphatic than the Secretary in holding a national bank to be the only cure for the disorders of the currency, he was prepared to go a step further by issuing Government paper as a national currency, and suggested that alternative in his Message. A national bank or a national currency was an equally energetic exercise of supreme central powers not expressly granted by the Constitution and much disputed by theorists. Either course of action implied a recurrence to the principles of President Washington. The Executive proposed to start afresh in 1816 from its point of departure in 1790.

The Fourteenth Congress was well disposed to support the attempt. Under the stress of war the people had selected as their Representatives the ablest and most vigorous men of their generation. The war leaders were mostly returned — Calhoun, Clay, Lowndes, Richard M. Johnson, Peter B. Porter, and John Forsyth — while the old peace party was strongly represented by Timothy Pickering, Daniel Webster, John Randolph, Grosvenor of New York, and Stanford of North Carolina; but perhaps the most distinguished member of all was William Pinkney of Maryland. A swarm of younger men, far above the average, reinforced both sides of the House.

The Senate was also improved. The disappearance of Leib and Samuel Smith was made more suggestive by the resignation of Giles. David Stone of North Carolina, another independent much given to opposition at critical moments, also resigned; and another of the same class, Joseph

Anderson of Tennessee, who had been a member of the Senate since 1797, retired to become First Comptroller of the Treasury. The Senate scarcely recognized itself as the same body that since 1808 had so persistently thwarted and fretted the President.

Of the contrary sentiment, John Randolph was the champion. Although his early career had ended in the most conspicuous failure yet known in American politics, he returned to the House, with intelligence morbidly sharpened, to begin a second epoch of his life with powers that gave him the position of equal among men like Calhoun, Pinkney, and Webster. Randolph held a decisive advantage in wishing only to obstruct. He had no legislation to propose, and his political philosophy suited that extreme 'to which,' according to Calhoun, 'the people of this country are peculiarly liable.'

Randolph's eccentricities, which amounted to insanity, prevented him from exercising in the House the influence to which his experience and abilities entitled him, but did not prevent him from reflecting the opinions of a large part of the nation, particularly in the South. Between these two impulses the Fourteenth Congress was to choose a path, subject to the future judgment of their constituents.

The Executive urged them on. Dallas began by sending to Calhoun, the chairman of the Committee on Currency, a plan for a national bank with a capital of thirty-five millions and power to increase it to fifty millions; with twenty-five directors, five of whom were to be appointed by the Government to represent its share in the bank stock of which the Government was to subscribe one-fifth. In another report, dated February 12, 1816, Dallas recommended a protective tariff and sketched its details. These duties were avowedly protective, intended to serve as the foundation of a system and to perpetuate the policy to which the Government stood pledged by its legislation for the last six years.

The House first grappled with the subject of revenue. The Committee of Ways and Means, through William Lowndes, reported, January 9, 1816, a scheme embodied in twelve resolutions intended to serve as the guide to definite legislation. Lowndes assumed a net annual revenue of \$25,369,000; and to obtain this sum he proposed to shift the burden of about \$7,000,000 from internal taxation to the customs, by an addition of forty-two per cent to the rates of permanent duty. The direct tax was to be retained to the amount of \$3,000,000, and an annual fund of \$13,-

500,000 was to be set aside for the interest and principal of the national debt.

Hardly had the debate begun when Randolph, January 16, dragged the question of a protective system into the prominence it was thence-forward to maintain. Two years of repose had singularly improved his skill in the choice of language and in the instigation of class against class.

The manufacturer [said he] is the citizen of no place or any place; the agriculturist has his property, his lands, his all, his household Gods to defend — and like that meek drudge the ox, who does the labor and plows the ground, then for his reward takes the refuse of the farmyard, the blighted blades and the moldy straw, and the mildewed shocks of corn for his support. . . . Alert, vigilant, enterprising, and active, the manufacturing interest are collected in masses, and ready to associate at a moment's warning for any purpose of general interest to their body. Do but ring the fire-bell, and you can assemble all the manufacturing interest of Philadelphia in fifteen minutes. Nay, for the matter of that, they are always assembled; they are always on the Rialto, and Shylock and Antonio meet there every day as friends, and compare notes, and possess in trick and intelligence what, in the goodness of God to them, the others can never possess.

All the members of note, except Randolph, professed to favor protection. Calhoun was as decided as Ingham. 'He believed the policy of the country required protection to our manufacturing establishments.' The House disputed only whether the adopted duties were or were not sufficient. The actual free-trade sentiment was shown, April 8, when Randolph made a final motion to postpone, and was beaten by a vote of ninety-five to forty-seven. The bill promptly passed the Senate, and was approved by the President April 27.

Dallas was fortunate in regard to the bank. Randolph's hostility to State banks was greater than to the Bank of the United States. Calhoun reported, January 8, the bill to incorporate for twenty years a new national bank with a capital of thirty-five million dollars, and supported it, February 26, by a speech showing that the bank was a proper means for attaining the constitutional object of restoring the money of the country to its true medium. Active opposition came chiefly from the Federalists. Even Samuel Smith seemed to plead rather that the State banks should be gently treated than that the national bank should be opposed. Randolph, while professing hostility to the new bank on any and every

ground suggested by others, concluded by pledging himself to support any adequate means for reducing the overpowering influence of the State banks. Clay thought himself obliged to leave the Speaker's chair in order to recant in the most public manner his errors of 1811.

In spite of determined opposition from Webster, Pitkin, John Sergeant, and other Federalists, the House passed the bill, March 14, by a vote of eighty to seventy-one. In the Senate the opposition was almost wholly confined to the Federalists, and the bill passed by a majority much larger than that in the House. The President approved it April 10; and thus, after five years of financial disorder, the Republican Party reverted to the system of Washington, and resumed powers it had found indispensable to government.

In contrast with the imbecility of many previous Congresses, the vigor of the Fourteenth Congress in thus settling the new scale of government was remarkable; but other measures of importance were not wanting. An Act approved April 29 appropriated one million dollars annually for three years to build ships-of-war; an Act approved April 19 authorized the people of Indiana to form a State Government. A bill, which passed the House but was postponed by the Senate and became law at the next session, provided for the admission of Mississippi. In still another direction the House showed its self-confidence in a manner that caused unusual popular excitement. It undertook to increase the pay of its own members and of Senators.

The scale of salary for public officials was low. The President, relatively highly paid, received twenty-five thousand dollars. The Secretaries of State and Treasury received five thousand; those of War and Navy, four thousand; the Attorney-General, three thousand; Chief Justice Marshall was paid four thousand, and the six associate justices received thirty-five hundred dollars each.

While the Executive and Judiciary were paid regular salaries, Congress stood on a different footing. Legislators had never been paid what was considered an equivalent for their time and services. They were supposed to be unpaid; but such a rule excluded poor men from the public service, and therefore the colonial legislatures adopted a practice, which Congress continued, of allowing what was supposed to be the reasonable expenses of members. The First Congress fixed upon six dollars a day, and six dollars for every twenty miles of estimated journey, as a suitable

scale of expense both for Senators and Representatives; and the same rate had been continued for twenty-five years. No one supposed it sufficient to support a household, but poor men could live upon it.

In the pride of conscious superiority the Fourteenth Congress undertook to change the system; and Richard M. Johnson, probably the most popular member of the House, assumed the risk of popular displeasure. In moving for a committee, March 4, Johnson repudiated the idea of increasing the pay; and his committee, including Webster, Pitkin, Jackson, the President's brother-in-law, Grosvenor, and McLean of Ohio, reported through him that fifteen hundred dollars a year was the correct equivalent of six dollars a day.

The bill, known as the Compensation Bill, was reported March 6, and was debated for two days with some animation. Among its supporters John Randolph was prominent, and gave offense to the opponents of the measure by his usual tactics. Most of the friends of the bill stoutly insisted that it did not increase the pay; most of its opponents averred that it more than doubled the amount. Calhoun admitted the increase of pay, and favored it, in order to retain 'young men of genius without property' in the public service. The bill was hurried through the House, March 8, by a vote of eighty-one to sixty-seven. In the Senate the bill was read for a second time March 12. In the course of the debate one of the New Jersey Senators, commenting on the haste shown by the House to pass the bill, added that also 'in the Senate postponement, commitment, and amendment are all refused, and it is to be pushed through by main strength with a haste altogether unusual.' The Senate passed it March 14, by a vote of twenty-one to eleven; and it received the President's signature March 19, barely a fortnight after Johnson's request for a committee.

At the time when the bill was still under consideration by the President, and the House had just passed the Bank Act, the Republican members of both Houses met to nominate a candidate to succeed Madison as President. The true contest lay between Crawford and Monroe, and was complicated, as far as the candidates themselves understood it, by personal intrigues on both sides.

On the evening of March 15, one hundred and nineteen Senators and Representatives appeared in the hall of the House of Representatives in obedience to an anonymous notice addressed to one hundred and forty-

three Republican members. Sixty-five, or less than half the Republican representation, voted for Monroe; fifty-four voted for Crawford; and eighty-five then united in nominating Governor Tompkins as Vice-President.

Monroe's character was well known, and his elevation to the Presidency was a result neither of great popularity nor of exceptional force, but was rather due to the sudden peace which left him the residuum of Madison's many Cabinets. A long list of resignations alone remained to recall the memory of his associates, leaving Monroe and Dallas in possession of the Government when peace was declared. Dallas was not a popular character, whatever were his abilities or services; and no other man occupied high ground. Under such circumstances the strength shown by Crawford was surprising, and proved that Monroe, notwithstanding his advantages, was regarded with no exclusive favor. In any case an epoch of personal politics could be foreseen, for men like Crawford, Calhoun and Clay never submitted long to a superior; and for such an epoch Monroe was probably the best choice.

Shortly after the nomination, Dallas gave notice to the President that he meant to retire from the Treasury in order to resume his practice at the bar. Madison immediately wrote to Gallatin, April 12, inviting him to resume charge of the Treasury; but Gallatin was weary of domestic politics and preferred diplomacy. He went as minister to France, while Dallas remained at the Treasury until October, to set the new Bank in motion.

## CHAPTER ONE HUNDRED AND TWO

### *Retirement of Madison*

**T**HE PROSPERITY that followed the Peace of Ghent suffered no check during the year 1816, or during the remainder of Madison's term. Notwithstanding the great importations from Europe which under ordinary conditions would have counterbalanced the exports, the exchanges soon turned in favor of the United States. Before the close of 1816 specie in considerable quantities began to flow into the country. Canada, being nearest, felt the drain first, and suffered much inconvenience from it; but during the summer of 1816 and 1817 Europe also shipped much specie to America.

The recovery of internal exchanges kept pace with the influx of specie. The Bank subscription was filled in August, a deficit of three million dollars being taken by Stephen Girard in a single mass. In October the board of directors was chosen by the shareholders, and in November the directors met and elected as President the former Secretary of the Navy, William Jones. One of their first acts was much debated, and was strongly opposed in the board of directors by J. J. Astor. They sent John Sergeant, of Philadelphia, abroad with authority to purchase some millions of bullion; and his mission was calculated to impress on the public the conviction that specie payments were to be resumed as soon as the Bank could open its doors.

A meeting was held at Philadelphia, February 1, consisting of delegates from the banks of New York, Philadelphia, Baltimore, and Richmond. The convention entered into a compact with the Secretary of the Treasury to resume payments, on certain conditions, at the day fixed by Congress. The compact was carried into effect February 20, a few days before the close of Madison's Presidency. Its success was magical. In New York, at ten o'clock on the morning of February 20, specie was at two and one-half per cent premium. The banks opened their doors, and in half an hour all was once more regular and normal.

In 1816 the relaxation of party spirit resulted in a phenomenon never before witnessed. The whole community rose against its own Representatives, and showed evident pleasure in condemning them. The occasion for this outbreak of popular temper was the Compensation

Bill; but the instinct that could alone account for the public pleasure in punishing public men could not be explained by a cause so trifling as that Act.

At the next session of Congress, Calhoun, lapsing in the middle of a speech into his usual meditative speculation, remarked, as though he were perplexed to account for his own theory, that in his belief the House of Representatives was not a favorite with the American people. If the House was not a favorite, what part of the Government was popular, and what could be hoped for representative government itself? Of all the machinery created by the Constitution, the House alone directly reflected and represented the people; and if the people disliked it, they disliked themselves.

The people best knew whether Calhoun was right. Certainly the House, owing in part to its size, its frequent elections and changes, its lack of responsibility and of social unity, was the least steady and least efficient branch of Government. Readers who have followed the history here closed have been surprised at the frequency with which the word imbecility has risen in their minds in reading the proceedings of the House. So strong was the same impression at the time that in the year 1814, at the close of the war, every earnest patriot in the Union, and many men who were neither earnest nor patriotic, were actively reproaching the House for its final failure, at an apparent crisis of the national existence, to call out or organize any considerable part of the national energies. The people in truth, however jealous of power, would have liked in imagination, though they would not bear in practice, to be represented by something nobler, wiser, and purer than their own average honor, wisdom, and purity. They could not make an ideal of weakness, ignorance, or vice, even their own; and as they required in their religion the idea of an infinitely wise and powerful deity, they revolted in their politics from whatever struck them as sordid or selfish. The House reflected their own weaknesses; and the Compensation Act seemed to them an expression of their own least agreeable traits. They rebelled against a petty appropriation of money, after enduring for years a constant succession of worse offenses.

Grand juries denounced it in Vermont and Georgia; the State Legislature denounced it in Massachusetts; town meetings protested against it; county conventions sat upon it; all classes and parties united in con-

demning it, and the brunt of this sweeping popular reproof fell upon the House of Representatives. Close as the House stood to the people, its want of popularity was evident — as Calhoun, with his usual insight, bore witness. The House had as a body few friends and no protection against popular tempests.

Even against so feeble and factious a body as the Thirteenth Congress, such condemnation would have seemed exceptional; but the peculiarity that made this popular reproof singular and suggestive was the popular admission that the Fourteenth Congress, for ability, energy, and usefulness, never had a superior, and perhaps, since the First Congress, never an equal. Such abilities were uncommon in any legislative body, American or European. Since Federalist times no Congress had felt such a sense of its own strength, and such pride in its own superiority; none had filled so fully the popular ideal of what the people's representatives should be. That this remarkable body of men should have incurred almost instantly the severest popular rebuke ever visited on a House of Representatives could not have been mere accident.

The politics of 1816 seemed absorbed in the Compensation Act, and in the union of parties to condemn their Representatives. The Senate escaped serious censure; and President Madison, so far from being called to account for errors real or imaginary, seemed to enjoy popularity never before granted to any President at the expiration of his term. The apparent contentment was certainly not due to want of grievances. The internal taxes pressed hard on the people, especially in New England, where the suffering was general and in some places severe; but no popular cry for reduction of taxes disturbed the elections. No portion of the country seemed displeased that a fourth Virginian should be made President by the intrigues of a Congressional caucus. The State Legislatures for the most part chose as usual the Presidential electors; and in December the public learned, almost without interest, that James Monroe had received one hundred and eighty-three electoral votes, representing sixteen States, while Rufus King had received thirty-four electoral votes, representing Massachusetts, Connecticut, and Delaware. Daniel D. Tompkins of New York was made Vice-President by the same process. Nothing in the elections, either for President or for Congress, showed that the people were disposed to scrutinize sharply the workings of any part of their government except the House of Representatives.

As the winter approached when Madison was to meet Congress for the last time, the sixteen years of his official service, which had been filled with excitement and violence, were ending in political stagnation. Party divisions had so nearly disappeared that nothing prevented the President-elect from selecting as the head of his Cabinet the son of the last Federalist President, who had been the object of more violent attack from the Republican Party than had been directed against any other Federalist. Old Republicans, like Macon and John Randolph, were at loss to know whether James Monroe or J. Q. Adams had departed farthest from their original starting-points. At times they charged one, at times the other, with desertion of principle; but on the whole their acts tended to betray a conviction that J. Q. Adams was still a Federalist in essentials, while Monroe had ceased to be an Old Republican. In the political situation of 1817, if Jefferson and his contemporaries were right in their estimates, Federalist views of government were tending to prevail over the views of the Jeffersonian party.

The members of the House returned to Washington mortified, angry, and defiant, disgusted alike with the public and with the public service. No sooner were the standing committees announced, December 4, than Richard M. Johnson moved for a special committee on the repeal of the Compensation Law, and supported his motion in an unusually elaborate speech, filled with argument, complaint, and irritation. The committee was appointed — Johnson at its head; William Findley of Pennsylvania, second; Daniel Webster, third, with four other members. After twelve days' consideration, December 18, the committee presented a report, written by Webster, defending the Act, but recommending a return to the *per diem* system, in deference to the popular wish. The scale of the new allowance was left for Congress to determine.

Calhoun, always above his subject, spoke with much force against yielding to popular outcry. ‘This House,’ he said, ‘is the foundation of the fabric of our liberty. So happy is its constitution, that in all instances of a general nature its duty and its interests are inseparable. If he understood correctly the structure of our government, the prevailing principle is not so much a balance of power as a well-connected chain of responsibility. That responsibility commenced here, and this House is the center of its operation.’ The idea that the people had ‘resolved the government into its original elements and resumed to themselves their primitive

power of legislation' was inconsistent with the idea that responsibility commenced and centered in the House. 'Are we bound in all cases to do what is popular?' asked Calhoun. Could the House shift responsibility from itself to the people without destroying the foundation of the entire fabric?

Like most of Calhoun's speculations, this question could receive its answer only in some distant future. The House, while repealing the law, refused to admit itself in the wrong. The law was repealed only so far as it applied to subsequent Congresses. Leaving its successors to fix whatever compensation they thought proper for their services, the Fourteenth Congress adhered to its own scale and took the money it was expected to refund.

Having disposed of this personal affair, the House turned to serious business, and completed its remarkable career by enacting several measures of far-reaching importance.

The first of these measures was a Navigation Act, approved March 1, 1817, imposing on foreign vessels the same restrictions and prohibitions which were imposed by foreign nations on Americans. The second resembled the first in its object, but related only to the importation of plaster of Paris from Nova Scotia and New Brunswick. These two Acts began a struggle against the foreign navigation systems which ended in their overthrow.

The most important measure that became law was a Neutrality Act, approved March 3, 1817, which authorized collectors of customs to seize and detain 'any vessel manifestly built for warlike purposes, . . . when the number of men shipped on board, or other circumstances, shall render it probable that such vessel is intended by the owner' to cruise against the commerce of a friendly State. Nearly fifty years were to pass before the people of the United States learned to realize the full importance of this Act, which laid the foundation for all the subsequent measures taken by the United States and Great Britain for preserving neutrality in their relations with warring countries. The Neutrality Act of 1817 furnished the measure of neutral obligations.

Besides these important laws, the Fourteenth Congress passed another bill, which closed its own activity and that of President Madison. None of the previous measures bore any direct relation to party politics, either past or future; but the bill for internal improvements, which Congress

passed and the President vetoed, was an event of no small meaning in party history.

December 23, Calhoun reported a bill setting aside the bonus paid by the Bank, \$1,500,000, and the future dividends from Bank stock, 'as a fund for constructing roads and canals.' February 4 he introduced his bill by a speech, showing that a system of internal improvements was necessary, and could, in certain instances, be created by the National Government alone.

Let it not be forgotten [said Calhoun, with the air of somber forecast which marked his mind and features], let it be forever kept in mind, that the extent of our Republic exposes us to the greatest of all calamities, next to the loss of liberty, and even to that in its consequence — disunion. We are great, and rapidly — I was about to say fearfully — growing. This is our pride and danger, our weakness and our strength. Little does he deserve to be entrusted with the liberties of this people who does not raise his mind to these truths. We are under the most imperious obligation to counteract every tendency to disunion. . . . If . . . we permit a low, sordid, selfish, and sectional spirit to take possession of this House, this happy scene will vanish. We will divide, and in its consequences will follow misery and despotism.

The constitutional question Calhoun reserved for the future; he thought it scarcely worth discussion, since the good sense of the States might be relied on to prevent practical evils. Nevertheless, he discussed it, and drew sufficient authority from the 'general welfare' clause and from the power to 'establish' post-roads. Granting that the Constitution was silent, he saw no restraint on Congress:

If we are restricted in the use of our money to the enumerated powers, on what principle can the purchase of Louisiana be justified? . . . If it cannot, then are we compelled either to deny that we had the power to purchase, or to strain some of the enumerated powers to prove our right.

The debate was interesting. The bill passed the House, February 8, by the small majority of eighty-six to eighty-four. In the Senate the bill passed by a vote of twenty to fifteen. Of the minority nine represented New England, and six represented Southern States. The confusion of parties was extreme; but the States-rights school of Old Republicans seemed to command not more than five or six votes in thirty-five.

The divisions on this bill seemed to leave no question that Congress by an overwhelming majority regarded the constitutional point as settled. No one doubted that the Judiciary held the same opinion. The friends of the bill had reason to feel secure in regard to the constitutional issue if on nothing else, and were the more disappointed when, March 3, President Madison exercised for the last time his official authority by returning the bill with a veto founded on constitutional objections.

Everyone who looked at the Constitution as an instrument or machine to be employed for the first time must have admitted that Madison was right. Interpreted by no other aid than its own terms and the probable intent of a majority of the Convention which framed and the States which adopted it, the Constitution contained, and perhaps had been intended to contain, no power over internal improvements. The wide difference of opinion which so suddenly appeared between the President and Congress could not have been the result so much of different views of the Constitution, as of conclusions reached since the Constitution was framed. Congress held the bill to be constitutional, not because it agreed with the strict interpretation of the text, but because it agreed with the interpretation which for sixteen years the Republican Party, through Congress and Executive, had imposed upon the text.

On that point Calhoun's argument left no doubt; and his question — the last of his speculations pregnant with future history — echoed unanswered: 'On what principle can the purchase of Louisiana be justified?' Dismissing all other violations or violence offered to the Constitution by President Madison or his predecessors — such as the Bank, the Embargo, the Enforcement laws, the laws for the government of Orleans Territory, the seizure of West Florida — Calhoun's question went to the heart of the issue between President and Congress.

From the Virginia side only one answer was possible. In returning to their early views of resistance to centralization, Madison and Jefferson must have maintained the invalidity of precedents to affect the Constitution. The veto seemed to create a new classification of public acts into such as were constitutional; such as were unconstitutional, but still valid; and such as were both unconstitutional and invalid. The admitted validity of an act, like the purchase of Louisiana, even though it were acknowledged to be unconstitutional, did not create a precedent which authorized a repetition of a similar act.

The Veto Message of March 3, 1817, was Madison's Farewell Address. The next day he surrendered to Monroe the powers of government, and soon afterward retired to Virginia, to pass, with his friend Jefferson, the remaining years of a long life, watching the results of his labors.



BOOK SIX

*The State of the Nation in 1817*



## CHAPTER ONE HUNDRED AND THREE

### *Economic Results*

THE UNION, which contained 5,300,000 inhabitants in 1800, numbered 7,240,000 in 1810, and 9,634,000 in 1820. At the close of Madison's Administration, in 1817, the population probably numbered not less than 8,750,000 persons. The average rate of annual increase was about three and five-tenths per cent, causing the population to double within twenty-three years.

The rate of increase was not uniform throughout the country, but the drift of population was well defined. In 1800 the five New England States contained about 1,240,000 persons. Virginia and North Carolina, united, then contained nearly 1,360,000, or ten per cent more than New England. In 1820 the two groups were still nearer equality. New England numbered about 1,665,000; the two Southern States numbered 1,700,000, or about two per cent more than New England. While these two groups, containing nearly half the population of the Union, increased only as one hundred to one hundred and twenty-nine, the middle group, comprising New York, New Jersey, and Pennsylvania, increased in the relation of one hundred to one hundred and ninety-two — from 1,402,000 in 1800, to 2,696,000 in 1820. Their rate was about the average ratio for the Union; and the three Western States — Ohio, Kentucky, and Tennessee — grew proportionally faster. Their population of 370,000 in 1800 became 1,567,000 in 1820, and in the ratio of one hundred to four hundred and twenty-three.

Although the war lasted less than three years, its effect was so great in checking the growth of the cities that during the period from 1810 to 1820 the urban population made no relative increase. During every other decennial period in the national history the city population grew more rapidly than that of the rural districts; but between 1810 and 1820 it remained stationary, at four and nine-tenths per cent of the entire population. While Boston, Philadelphia, and Charleston advanced slowly, and New York only doubled its population in twenty years, Western towns like Pittsburgh, Cincinnati, and Louisville grew rapidly and steadily, and even New Orleans, though exposed to capture, more than trebled in size; but the Western towns were still too small to rank as

important. Even in 1820 the only cities which contained a white population of more than twenty thousand were New York, Philadelphia, Baltimore, and Boston.

The movement of population or of wealth was not so important as the methods by which the movement was effected. The invention of the steamboat gave a decisive advantage to New York over every rival. Already in 1816 a traveler could go from New York to Philadelphia by steamboat and stage in thirteen hours; or to Albany in twenty-four hours; and taking stage to Whitehall in twelve hours could reach Montreal in thirty hours, and go on to Quebec in twenty-four hours — thus consuming about five and a half successive days in the long journey from Philadelphia to Quebec, sleeping comfortably on his way, and all at an expense of fifty dollars. This economy of time and money was a miracle; but New York could already foresee that it led to other advantages of immeasurable value. The steamboat gave impetus to travel, and was a blessing to travelers; but its solid gain for the prosperity of the United States lay not in passenger traffic so much as in freight, and New York was the natural center of both.

While Pennsylvania, Virginia, and the Carolinas were building roads and canals across a hundred miles of mountains, only to reach at last an interior region which enjoyed an easier outlet for freight, New York had but to people a level and fertile district, nowhere fifty miles from navigable water, in order to reach the great Lake system, which had no natural outlet within the Union except through the city of New York. So obvious was the idea of a canal from the Lakes to the Hudson that it was never out of men's minds, even before the war; and no sooner did peace return than the scheme took large proportions. Active leaders of both political parties pressed the plan — De Witt Clinton, Gouverneur Morris, and Peter B. Porter were all concerned in it; but the Legislature and people then supposed that so vast an undertaking as a canal to connect Lake Erie with the ocean, national in character and military in its probable utility, required national aid. Supposing the Administration to be pledged to the policy outlined by Gallatin and approved by Jefferson in the Annual Message of 1806, the New York commissioners applied to Congress for assistance, and uniting with other local interests procured the passage of Calhoun's bill for internal improvements.

They were met by Madison's veto. This act, although at first it seemed

to affect most the interests of New York, was in reality injurious only to the Southern States. Had the Government lent its aid to the Erie Canal, it must have assisted similar schemes elsewhere, and in the end could hardly have refused to carry out Gallatin's plan of constructing canals from the Chesapeake to the Ohio and from the Santee to the Tennessee River. The veto disappointed New York only for the moment, but was fatal to Southern hopes. After the first shock of discouragement, the New York Legislature determined to persevere, and began the work without assistance. The Legislature of Pennsylvania at the same time appropriated half a million dollars for roads and canals and for improvements of river navigation, devoting nearly one hundred and fifty thousand dollars to aid the turnpike road to Pittsburgh.

When Madison retired from the Presidency, the limits of civilization, though rapidly advancing, were still marked by the Indian boundary, which extended from the western end of Lake Erie across Indiana, Kentucky, Tennessee, and the Southwestern territory. Only weak and helpless tribes remained east of the Mississippi, waiting until the whites should require the surrender of their lands; but the whites, already occupying land far in advance of their needs, could not yet take the whole. Not until 1826 were the Indian titles generally extinguished throughout Indiana. The military work was done, and the short space of sixteen years had practically accomplished the settlement of the whole country as far as the Mississippi; but another generation was needed in order to take what these sixteen years had won.

As population spread, the postal service struggled after it. Except on the Hudson River, steamboats were still irregular in their trips; and for this reason the mails continued to be carried on horseback through the interior. In 1801 the number of post-offices was 957; in 1817 it was 3459. In 1801 the length of post-roads was less than 25,000 miles; in 1817 it was 52,689. In 1800 the gross receipts from postage were \$280,000; in 1817 they slightly exceeded \$1,000,000. In each case the increase much surpassed the ratio for population, and offered another means for forming some estimate of the increase of wealth. The Fourteenth Congress pressed the extension of post-routes in western New York, Ohio, and Indiana; they were already established beyond the Mississippi. Rapidity of motion was also increased on the main routes. From New York to Buffalo, four hundred and seventy-five miles, the traveler went

at an average rate of five miles an hour, and sleeping every night, he arrived in about four days. Between Philadelphia and Pittsburgh, where no watercourse shortened the distance, the stage-coach consumed five and a half days, allowing for stoppage at night. These rates of travel were equal to those common on routes of similar length in Europe; but long after 1817 the mail from Washington to New Orleans, by a route 1380 miles in length, required twenty-four days of travel.

Had the steamboat system been at once perfected, the mail could have been carried with much more rapidity; but the progress of the new invention was slow. After the trial trip of the *Clermont*, August 17, 1807, five years elapsed before the declaration of war; yet in 1812 New York possessed no other steam line than the Albany packets. Steam ferries plied to Hoboken, Amboy, and other places in the immediate neighborhood; but neither Newport, New London, nor New Haven enjoyed steam communication with New York until after the war. In the spring of 1813, eight or nine steamboats belonged to the city of New York, but only three, which ran to Albany, were more than ferries. At the same time Philadelphia possessed six such ferryboats. From Baltimore a steamer ran to the head of Chesapeake Bay; but the southern coast and the town of Charleston saw no steamboat until a year after the war was ended.

The West was more favored. In 1811 a boat of four hundred tons was built at Pittsburgh and sent down the river to New Orleans, where it plied between New Orleans and Natchez. Two more were built at the same place in 1813-14; and one of them, the *Vesuvius*, went down the river in the spring of 1814, rousing general interest in the midst of war by making the trip in nine days and a half, or two hundred and twenty-seven hours.

The result of the sixteen years, considered only in the economical development of the Union, was decisive. Although population increased more rapidly than was usual in human experience, wealth accumulated still faster. These sixteen years set at rest the natural doubts that had attended the nation's birth. The rate of increase both in population and wealth was established and permanent, unless indeed it should become even more rapid. Every serious difficulty which seemed alarming to the people of the Union in 1800 had been removed or had sunk from notice in 1816. With the disappearance of every immediate peril, foreign or domestic, society could devote all its energies, intellectual and physical,

to its favorite objects. This result was not the only, or even the chief, proof that economical progress was to be at least as rapid in the future as at the time when the nation had to struggle with political difficulties. Not only had the people during these sixteen years escaped from dangers; they had also found the means of supplying their chief needs. Besides clearing away every obstacle to the occupation and development of their continent as far as the Mississippi River, they created the steamboat, the most efficient instrument yet conceived for developing such a country. The continent lay before them, like an uncovered ore-bed. They could see, and they could even calculate with reasonable accuracy, the wealth it could be made to yield.

## CHAPTER ONE HUNDRED AND FOUR

### *Religious and Political Thought*

THE MOVEMENT OF THOUGHT, more interesting than the movement of population or of wealth, was equally well defined. In the midst of political dissension and economical struggles, religion still took precedence; and the religious movement claimed notice, not merely for its depth or for its universality, but also and especially for its direction. Religious interest and even excitement were seen almost everywhere, both in the older and in the newer parts of the country; and every such movement offered some means of studying or illustrating the development of national character. For the most part the tendency seemed emotional rather than intellectual; but in New England the old intellectual pre-eminence, which once marked the Congregational clergy, developed a quality both new and distinctive.

The Congregational clergy, battling with the innate vices of human nature, thought themselves obliged to press on their hearers the consequences of God's infinite wrath rather than those of His infinite love. They admitted that in a worldly sense they erred, and they did not deny that their preaching sometimes leaned to severity; but they would have been false to their charge and undeserving of their high character had they lost sight of their radical doctrine that every man was by nature personally depraved, and unless born again could not hope to see the Kingdom of God. Many intellectual efforts had been made by many ages of men to escape the logic of this doctrine, but without success. The dogma and its consequences could not be abandoned without abandoning the Church.

From this painful dilemma a group of young Boston clergymen made a new attempt to find a path of escape. Their movement drew its inspiration from Harvard College, and was simultaneous with the sway of Jefferson's political ideas; but the relationship which existed between religious and political innovation was remote and wholly intellectual. Harvard College seemed to entertain no feeling toward Jefferson but antipathy, when in 1805 the corporation appointed Henry Ware, whose Unitarian tendencies were well known, to be Hollis Professor of Theology. The Unitarianism of Henry Ware and his supporters implied at that time

no well-defined idea beyond a qualified rejection of the Trinity and a suggestion of what they thought a more comprehensible view of Christ's divine character; but it still subverted an essential dogma of the Church and opened the way to heresy. The Calvinists could no longer regard Harvard College as a school proper for the training of clergy; and they were obliged to establish a new theological seminary, which they attached to a previously existing academy at Andover, in Essex County, Massachusetts. The two branches of the New England Calvinists — known then as Old Calvinism and Hopkinsianism — united in framing for the instructors of the Andover school a creed on the general foundation of the Westminster Assembly's Shorter Catechism, and thus provided for the future education of their clergy in express opposition to Unitarians and Universalists.

Thenceforward the theological school of Harvard College became more and more Unitarian. The Massachusetts parishes, divided between the two schools of theology, selected, as pleased a majority of their church members, either Orthodox or Unitarian pastors; and while the larger number remained Calvinistic, though commonly preferring ministers who avoided controversy, the Boston parishes followed the Unitarian movement and gradually filled their pulpits with young men. The Unitarian clergy soon won for themselves and for their city a name beyond proportion with their numbers.

Joseph Stevens Buckminster, the first, and while he lived the most influential, of these preachers, began his career in 1805 by accepting a call from one of the old Boston churches. He died in 1812 at the close of his twenty-eighth year. His influence was rather social and literary than theological or controversial. During his lifetime the Unitarian movement took no definite shape, except as a center of revived interest in all that was then supposed to be best and purest in religious, literary, and artistic feeling. After his death, Unitarians learned to regard William Ellery Channing as their most promising leader. Channing had accepted the charge of a Boston church as early as 1803, and was about four years older than Buckminster. A third active member of the Boston clergy was Samuel Cooper Thacher, who took charge of a Boston parish in 1811, and was five years younger than Channing. Shades of difference distinguished each Unitarian parish from every other, and the degree of their divergence from the old creed was a subject of constant interest and pri-

vate discussion, although the whole body of churches, Congregational as well as Unitarian, remained in external repose.

The calm was not broken until the close of the war relieved New England from a political anxiety which for fifteen years had restrained internal dissensions. No sooner did peace restore to New England the natural course of its intellectual movement than the inevitable schism broke out. In June, 1815, the *Panoplist*, the mouthpiece of the Congregational clergy, published an article charging the Unitarians with pursuing an unavowed propaganda and calling upon the Church to refuse them communion. Channing and his friends thought the attack to require reply, and, after consultation, Channing published a 'Letter to the Rev. Samuel C. Thacher,' which began a discussion and a theological movement of no slight interest to American history.

Channing's theology at that time claimed no merit for originality. His letter to Thacher betrayed more temper than he would afterward have shown; but in no particular was he more earnest than in repelling the idea that he or his brethren were innovators. In whatever points they disagreed, they were most nearly unanimous in repudiating connection with the English Unitarians, who denied the divinity of Christ. Channing declared 'that a majority of our brethren believe that Jesus Christ is more than man; that he existed before the world; that he literally came from heaven to save our race; that he sustains other offices than those of a teacher and witness to the truth; and that he still acts for our benefit, and is our intercessor with the Father.' So far was Channing from wishing to preach a new theology that he would gladly have accepted the old had he thought it intelligible:

It is from deep conviction that I have stated once and again that the differences between Unitarians and Trinitarians lie more in sounds than in ideas; that a barbarous phraseology is the chief wall of partition between these classes of Christians; and that could Trinitarians tell us what they mean, their system would generally be found little else than a mystical form of the Unitarian doctrine.

Calvinists could not be blamed for thinking that their venerable creed, the painful outcome of the closest and most strenuous reasoning known in the Christian world, was entitled to more respect than to be called 'little else than a mystical form of the Unitarian doctrine.'

The popular dislike of Calvinistic severity could not wholly make good

the want of doctrinal theology. The Unitarian clergy, however unwilling to widen the breach between themselves and the old Church, were ill at ease under the challenges of Orthodox critics, and could not escape the necessity of defining their belief.

Channing did not deny — indeed, he affirmed — that Unitarians regarded dogma as unnecessary to salvation. ‘In our judgment of professed Christians,’ he replied, ‘we are guided more by their temper and lives than by any peculiarities of opinion. We lay it down as a great and indisputable opinion, clear as the sun at noonday, that the great end for which Christian truth is revealed is the sanctification of the soul, the formation of the Christian character; and wherever we see the marks of this character displayed in a professed disciple of Jesus, we hope, and rejoice to hope, that he has received all the truth which is necessary to his salvation.’ The hope might help to soothe anxiety and distress, but it defied conclusions reached by the most anxious and often renewed labors of churchmen for eighteen hundred years. Something more than a hope was necessary as the foundation of a faith.

Not until the year 1819 did Channing quit the cautious attitude he first assumed. Then, in his ‘Sermon on the Ordination of Jared Sparks’ at Baltimore, he accepted the obligation to define his relation to Christian doctrine, and, with the support of Andrews Norton, Henry Ware and other Unitarian clergymen, gave a doctrinal character to the movement. With this phase of his influence the present story has nothing to do. In the intellectual development of the country, the earlier stage of Unitarianism was more interesting than the later, for it marked a general tendency of national thought. At a time when Boston grew little in population and but moderately in wealth, and when it was regarded with antipathy, both political and religious, by a vast majority of the American people, its society had never been so agreeable or so fecund. No such display of fresh and winning genius had yet been seen in America as was offered by the genial outburst of intellectual activity in the early days of the Unitarian schism. No more was heard of the Westminster doctrine that man had lost all ability of will to any spiritual good accompanying salvation, but was dead in sin.

Under the influence of Channing and his friends, human nature was adorned with virtues hardly suspected before, and with hopes of perfection on earth altogether strange to theology. The Church then

charmed. The worth of man became under Channing's teachings a source of pride and joy, with such insistence as to cause his hearers at last to recall, almost with a sense of relief, that the Saviour himself had been content to regard them only as of more value than many sparrows.

The most remarkable quality of Unitarianism was its high social and intellectual character. The other more popular religious movements followed for the most part a less ambitious path, but were marked by the same humanitarian tendency. In contrast with the old stringency of thought, the religious activity of the epoch showed warmth of emotion. The elder Buckminster, a consistent Calvinist clergyman settled at Portsmouth in New Hampshire, while greatly distressed by his son's leanings toward loose theology, was at the same time obliged to witness the success of other opinions, which he thought monstrous, preached by Hosea Ballou, an active minister in the same town. This new doctrine, which took the name of Universalism, held as an article of faith 'that there is one God, whose nature is love, revealed in one Lord Jesus Christ, by one Holy Spirit of grace, who will finally restore the whole family of mankind to holiness and happiness.' In former times anyone who had publicly professed belief in universal salvation would not have been regarded as a Christian. With equal propriety he might have preached the divinity of Ammon or Diana. To the old theology one god was as strange as the other; and so deeply impressed was Doctor Buckminster with this conviction that he felt himself constrained in the year 1809 to warn Hosea Ballou of his error, in a letter pathetic for its conscientious self-restraint. Yet the Universalists steadily grew in numbers and respectability, spreading from State to State under Ballou's guidance, until they became as well-established and as respectable a church as that to which Buckminster belonged.

A phenomenon still more curious was seen in the same year, 1809, in western Pennsylvania. Near the banks of the Monongahela, in Washington County, a divergent branch of Scotch Presbyterianism established a small church, and under the guidance of Thomas Campbell, a recent emigrant from Scotland, issued, September 7, 1809, a Declaration:

Being well aware from sad experience of the heinous nature and pernicious tendency of religious controversy among Christians, tired and sick of the bitter jarrings and janglings of a party spirit, we would desire to be at rest; and, were it possible, would also desire to adopt and recommend

such measures as would give rest to our brethren throughout all the churches, as would restore unity, peace, and purity to the whole Church of God. This desirable rest, however, we utterly despair either to find for ourselves, or to be able to recommend to our brethren, by continuing, amid the diversity and rancor of party contentions, the varying uncertainty and clashings of human opinions; nor indeed can we reasonably expect to find it anywhere but in Christ and his simple word, which is the same yesterday, today, and forever. Our desire, therefore, for ourselves and our brethren would be that rejecting human opinions and the inventions of men as of any authority, or as having any place in the Church of God, we might forever cease from further contentions about such things, returning to and holding fast by the original standard.

Campbell's Declaration expressed so wide a popular want that his church, in a few years, became one of the largest branches of the great Baptist persuasion. Perhaps in these instances of rapid popular grouping, love of peace was to some extent supplemented by jealousy of learning, and showed as much spirit of social independence as of religious instinct. The growth of vast popular sects in a democratic community might testify to intellectual stagnation as well as to religious or social earnestness; but whatever was the amount of thought involved in such movements, one character was common to them all, as well as to the Unitarians — they agreed in relaxing the strictness of theological reasoning. Channing united with Campbell in suggesting that the Church should ignore what it could not comprehend.

Wide as the impulse was to escape the rigor of bonds and relax the severity of thought, organizations so deeply founded as the old churches were not capable of destruction. They had seen many similar human efforts, and felt certain that sooner or later such experiments must end in a return to the old standards. Even the Congregational Church of New England, though reduced in Boston to a shadow of its old authority, maintained itself at large against its swarm of enemies — Unitarian, Universalist, Baptist, Methodist — resisting, with force of character and reasoning, the looseness of doctrine and vagueness of thought which marked the time. Yale College remained true to it. Most of the parishes maintained their old relations. If the congregations in some instances crumbled away or failed to increase, the Church could still stand erect, and might reflect with astonishment on its own strength, which survived so long a series of shocks apparently fatal. For half a century the Con-

gregational clergy had struggled to prevent innovation, while the people emigrated by hundreds of thousands in order to innovate. Obliged to insist on the infinite justice rather than on the infinite mercy of God, they shocked the instincts of the new generation, which wanted to enjoy worldly blessings without fear of future reckoning. Driven to bay by the deistic and utilitarian principles of Jefferson's democracy, they fell into the worldly error of defying the national instinct, pressing their resistance to the war until it amounted to treasonable conspiracy. The sudden peace swept away much that was respectable in the old society of America, but perhaps its noblest victim was the unity of the New England Church.

The Church, whether Catholic or Protestant, Lutheran or Calvinistic, always rested in the conviction that every divergence from the great highways of religious thought must be temporary, and that no permanent church was possible except on foundations already established; but the State stood in a position less self-confident. The old principles of government were less carefully developed, and Democrats in politics were more certain than Unitarians or Universalists in theology that their intellectual conclusions made a stride in the progress of thought. Yet the sixteen years with which the century opened were singularly barren of new political ideas. Apparently the extreme activity which marked the political speculations of the period between 1775 and 1800, both in America and in Europe, had exhausted the energy of society, for Americans showed interest only in the practical working of their experiments, and added nothing to the ideas that underlay them. With such political thought as society produced, these pages have been chiefly filled; the result has been told. The same tendency which in religion led to reaction against dogma was shown in politics by general acquiescence in practices which left unsettled the disputed principles of government. No one could say with confidence what theory of the Constitution had prevailed. Neither party was satisfied, although both acquiesced. While the Legislative and Executive branches of the Government acted on no fixed principle, but established precedents at variance with any consistent theory, the Judiciary rendered so few decisions that constitutional law stood nearly still. Only at a later time did Chief Justice Marshall begin his great series of judicial opinions — McCulloch against the State of Maryland in 1819; Dartmouth College in the same year; Cohens against the

State of Virginia in 1821. No sooner were these decisive rulings announced than they roused the last combative energies of Jefferson against his old enemy the Judiciary: 'That body, like gravity, ever acting, with noiseless foot and unalarming advance, gaining ground step by step, and holding what it gains, is engulfsing insidiously the special governments.'

Marshall had few occasions to decide constitutional points during the Administrations of Jefferson and Madison, but the opinions he gave were emphatic. When Pennsylvania in 1809 resisted, in the case of Gideon Olmstead, a process of the Supreme Court, the Chief Justice, without unnecessary words, declared that 'if the legislatures of the several States may at will annul the judgments of the courts of the United States, and destroy the rights acquired under those judgments, the Constitution itself becomes a solemn mockery, and the nation is deprived of the means of enforcing its laws by the instrumentality of its own tribunals.' Pennsylvania yielded.

Jefferson still publicly maintained that the National and State governments were 'as independent, in fact, as different nations,' and that the function of one was foreign, while that of the other was domestic. Madison still declared that Congress could not build a road or clear a watercourse; while Congress believed itself authorized to do both, and in that belief passed a law which Madison vetoed. In politics as in theology, the practical system which resulted from sixteen years of experience seemed to rest on the agreement not to press principles to a conclusion.

No new idea was brought forward, and the old ideas, though apparently incapable of existing together, continued to exist in rivalry like that of the dogmas which perplexed the theological world; but between the political and religious movement a distinct difference could be seen. The Church showed no tendency to unite in any creed or dogma — indeed, religious society rather tended to more divisions; but in politics public opinion slowly moved in a fixed direction. The movement could not easily be measured, and was subject to reaction; but its reality was shown by the protests of Jefferson, the veto of Madison, and the decisions of the Supreme Court. No one doubted that a change had occurred since 1798. The favorite States-rights dogma of that time had suffered irreparable injury. For sixteen years the National Government in all its branches had acted, without listening to remonstrance, on the rule that it was the

rightful interpreter of its own powers. In this assumption the Executive, the Legislature, and the Judiciary had agreed. Massachusetts and Pennsylvania, as well as Virginia and Georgia, yielded. Louisiana had been bought and admitted into the Union; the Embargo had been enforced; one National Bank had been destroyed and another established; every essential function of a sovereignty had been performed, without an instance of failure, though not without question. However unwilling the minority might be to admit in theory the overthrow of their principles, every citizen assented in daily practice to the rule that the National Government alone interpreted its own powers in the last resort. From the moment the whole people learned to accept the practice, the dispute over theory lost importance, and the Virginia Resolutions of 1798 marked only a stage in the development of a sovereignty.

The nature of the sovereignty that was to be the result of American political experiment, the amount of the originality which could be infused into an idea so old, was a matter for future history to settle. Many years were likely to elapse before the admitted practice of the Government and people could be fully adopted into the substance of their law, but the process thus far had been rapid. In the brief space of thirty years, between 1787 and 1817 — a short generation — the Union had passed through astonishing stages. Probably no great people ever grew more rapidly and became more mature in so short a time. The ideas of 1787 were antiquated in 1815, and lingered only in districts remote from active movement. The subsidence of interest in political theories was a measure of the change, marking the general drift of society toward practical devices for popular use, within popular intelligence. The only work that could be said to represent a school of thought in politics was written by John Taylor of Caroline, and was probably never read — or if read, certainly never understood — north of Baltimore by any but curious and somewhat deep students, although to them it had value.

John Taylor of Caroline might without irreverence be described as a *vox clamantis* — the voice of one crying in the wilderness. Regarded as a political thinker of the first rank by Jefferson, Monroe, John Randolph, and the Virginia school, he admitted, with the geniality of the class to which he belonged, that his disciples invariably deserted in practice the rules they praised in his teaching; but he continued to teach, and the further his scholars drifted from him the more publicly and profusely he

wrote. His first large volume, *An Inquiry into the Principles and Policy of the Government of the United States*, published in 1814, during the war, was in form an answer to John Adams's *Defence of the Constitutions* published in London twenty-five years before. In 1787, John Adams, like Jefferson, Hamilton, Madison, Jay, and other constitution-makers, might, without losing the interest of readers, indulge in speculations more or less visionary in regard to the future character of a nation yet in its cradle; but in 1814 the character of people and Government was formed; the lines of their activity were fixed. A people, which had in 1787 been indifferent or hostile to roads, banks, funded debt, and nationality, had become in 1815 habituated to ideas and machinery of the sort on a great scale. Monarchy or aristocracy no longer entered into the public mind as factors in future development. Yet Taylor resumed the discussions of 1787 as though the interval were a blank; and his only conclusion from the experience of thirty years was that both political parties were equally moving in a wrong direction.

## CHAPTER ONE HUNDRED AND FIVE

### *Literature and Art*

SOCIETY SHOWED GREAT INTEREST in the statesmen or preachers who won its favor, and earnestly discussed the value of political or religious dogmas, without betraying a wish to subject itself ever again to the rigor of a strict creed in politics or religion. In a similar spirit it touched here and there, with a light hand, the wide circuit of what was called *belles-lettres*, without showing severity either in taste or temper.

For the first four or five years of the century, Dennie's *Portfolio* contained almost everything that was produced in the United States under the form of light literature. The volumes of the *Portfolio* for that period had the merit of representing the literary efforts of the time, for Philadelphia insisted on no standard of taste so exacting as to exclude merit, or even dullness, in any literary form. Jacobins, as Dennie called Democrats, were not admitted into the circle of the *Portfolio*; but Jacobins rarely troubled themselves with *belles-lettres*.

The *Portfolio* reflected a small literary class scattered throughout the country, remarkable chiefly for close adhesion to established English ideas. The English standard was then extravagantly Tory, and the American standard was the same. At first sight the impression was strange. A few years later, no ordinary reader could remember that ideas so illiberal had seriously prevailed among educated Americans. By an effort, elderly men could, in the next generation, recall a time when they had been taught that Oliver Cromwell was a monster of wickedness and hypocrisy; but they could hardly believe that at any period an American critic coldly qualified *Paradise Lost*, and *Avenge, O Lord, thy slaughtered saints*, as good poetry, though written by a Republican and an enemy of established order. This was the tone of Dennie's criticism, and so little was it confined to him that even young Buckminster, in his Phi Beta Kappa Oration of 1809, which was regarded as making almost an epoch in American literature, spoke of Milton's eyes as 'quenched in the service of a vulgar and usurping faction,' and of Milton's life as 'a memorable instance of the temporary degradation of learning.' Buckminster was then remonstrating against the influence of politics upon

letters rather than expressing a political sentiment, but his illustration was colored by the general prejudices of British Toryism. Half a century before, Doctor Johnson had taken the tone of Tory patronage toward Milton's genius, and Johnson and Burke were still received in America as final authorities for correct opinion in morals, literature, and politics. The *Portfolio* regarded Johnson not only as a 'superlative' moralist and politician, but also as a 'sublime' critic and a 'transcendent' poet. Burke and Cicero stood on the same level, as masters before whose authority criticism must silently bow.

Yet side by side with these conventional standards, the *Portfolio* showed tendencies which seemed inconsistent with conservatism—a readiness to welcome literary innovations contradicting every established canon. No one would have supposed that the critic who accepted Johnson and Pope as transcendent poets should also delight in Burns and Wordsworth; yet Dennie was unstinted in praise of poetry which, as literature, was hardly less revolutionary than the writings of Godwin in politics. Dennie lost no opportunity of praising Coleridge, and reprinted with enthusiasm the simplest ballads of Wordsworth. Moore was his personal friend, and Moore's verses his models. Wherever his political prejudices were untouched, he loved novelty. He seemed to respect classical authority only because it was established, but his literary instincts were broader than those of Jefferson.

The circulation of the *Portfolio* probably never exceeded fifteen hundred copies, and Dennie constantly complained that the paper barely supported itself. When the Bostonians, in the year 1805, began to feel the spirit of literary ambition, they took at once a stride beyond Dennie's power, and established a monthly magazine called the *Anthology and Boston Review*, which in 1806 numbered four hundred and forty subscribers. The undertaking was doubly remarkable; for the Anthology Society which supported the *Review* combined with it the collection of a library, limited at first to periodical publications, which expanded slowly into the large and useful library known as the Boston Athenaeum. The *Review* and library quickly became the center of literary taste in Boston, and, in the words of Josiah Quincy many years afterward, might be considered as a revival of polite learning in America. The claim was not unreasonable, for the *Review* far surpassed any literary standards then existing in the United States, and was not much inferior to any in Eng-

land; for the *Edinburgh* was established only in 1802, and the *Quarterly* not till 1809.

The Anthology Society, which accomplished the feat of giving to Boston for the first time the lead of American literary effort, consisted largely of clergymen, and represented, perhaps unintentionally, the coming Unitarian movement. Its president and controlling spirit had no sympathy with either division of the Congregational Church, but was a clergyman of the Church of England. John Sylvester John Gardiner, the rector of Trinity, occupied a peculiar position in Boston. Of American descent, but English birth and education, he was not prevented by the isolation of his clerical character from taking an active part in affairs, and his activity was sometimes greater than his discretion. His political sermons rivaled those of the Congregational ministers Osgood and Parish, in their violence against Jefferson and the National Government; his Federalism was that of the Essex Junto, with a more decided leaning to disunion; but he was also an active and useful citizen, ready to take his share in every good work. When he became president of the Anthology Society, he was associated with a clergyman of Unitarian opinions as vice-president — the Reverend William Emerson, a man of high reputation in his day, but better known in after years as the father of Ralph Waldo Emerson. The first editor was Samuel Cooper Thacher, to whom, ten years afterward, Channing addressed his earliest controversial letter. Young Buckminster and William Tudor, a Boston man, who for the next twenty years was active in the literary life of Massachusetts, were also original members. The staff of the *Anthology* was greatly superior to ordinary editorial resources; and in a short time the *Review* acquired a reputation for ability and sharpness of temper never wholly forgiven. Its unpopularity was the greater because its aggressiveness took the form of assaults on Calvinism, which earned the ill-will of the Congregational clergy.

Of the intellectual movement in all its new directions, Harvard College was the center. Between 1805 and 1817 the college inspired the worn-out Federalism of Boston with life till then unimagined. Not only did it fill the pulpits with Buckminsters, Channings, and Thachers, whose sermons were an unfailing interest and whose society was a constant stimulus, but it also maintained a rivalry between the pulpit and the lecture-room. The choice of a new professor was as important and as much discussed as

the choice of a new minister. No ordinary political event caused more social interest than the appointment of Henry Ware as Professor of Theology in 1805. In the following year J. Q. Adams was made Professor of Rhetoric, and delivered a course of lectures which created the school of oratory to which Edward Everett's generation adhered. Four younger men, whose influence was greatly felt in their branches of instruction, received professorships in the next few years — Jacob Bigelow, who was appointed Professor of Medicine in 1813; and Edward Everett, Greek Professor in 1815; John Collins Warren, Professor of Anatomy in the same year; and George Ticknor, Professor of Belles-Lettres in 1816. In the small society of Boston, a city numbering hardly forty thousand persons, this activity of college and church produced a new era. Where thirty-nine students a year had entered the college before 1800, an average number of sixty-six entered it during the war, and took degrees during the four or five subsequent years. Among them were names familiar to the literature and politics of the next half-century. Besides Ticknor and Everett, in 1807 and 1811, Henry Ware graduated in 1812, and his brother William, the author of *Zenobia*, in 1816; William Hickling Prescott, in 1814; J. G. Palfrey, in 1815; in 1817, George Bancroft and Caleb Cushing graduated, and Ralph Waldo Emerson entered the college. Boston also drew resources from other quarters, and perhaps showed no stronger proof of its vigor than when, in 1816, it attracted Daniel Webster from New Hampshire to identify himself with the intellect and interests of Massachusetts. Even by reaction the Unitarians stimulated Boston — as when, a few years afterward, Lyman Beecher accepted the charge of a Boston church in order to resist their encroachments.

The *Anthology* which marked the birth of the new literary school came in a few years to a natural end, but was revived in 1815 under the name of the *North American Review*, by the exertions of William Tudor. The life of the new *Review* belonged to a later period, and was shaped by other influences than those that surrounded the *Anthology*. With the beginning of the next epoch, the provincial stage of the Boston school was closed. More and more its influence tended to become national, and even to affect other countries. Perhaps by a natural consequence rather than by coincidence, the close of the old period was marked by the appearance of a short original poem in the *North American Review* for September, 1817:

... The hills,  
Rock-ribbed and ancient as the sun; the vales  
Stretching in pensive quietness between;  
The venerable woods; the floods that move  
In majesty, and the complaining brooks  
That wind among the meads and make them green —  
Are but the solemn declarations all,  
Of the great tomb of man. The golden sun,  
The planets, all the infinite host of heaven  
Are glowing on the sad abodes of death  
Through the still lapse of ages. All that tread  
The globe are but a handful to the tribes  
That slumber in its bosom. Take the wings  
Of morning, and the Borean desert pierce;  
Or lose thyself in the continuous woods  
That veil Oregon, where he hears no sound  
Save his own dashings — yet the dead are there;  
And millions in these solitudes, since first  
The flight of years began, have laid them down  
In their last sleep: the dead reign there alone.  
So shalt thou rest: and what if thou shalt fall  
Unnoticed by the living, and no friend  
Take note of thy departure? Thousands more  
Will share thy destiny. The tittering world  
Dance to the grave. The busy brood of care  
Plod on, and each one chases as before  
His favorite phantom. Yet all these shall leave  
Their mirth and their employments, and shall come  
And make their bed with thee.

The appearance of *Thanatopsis* and *Lines to a Waterfowl* in the early numbers of the *North American Review*, while leaving no doubt that a new national literature was close at hand, proved also that it was not to be the product of a single source; for Bryant, though greatly tempted to join the Emersons, Channing, Dana, Allston, and Tudor in Boston, turned finally to New York, where influences of a different kind surrounded him. The Unitarian school could not but take a sober cast, and even its humor was sure to be tinged with sadness, sarcasm, or irony, or some serious purpose or passion; but New York contained no atmosphere in which such a society could thrive. Busy with the charge of practical work — the development of industries continually exceeding

their power of control — the people of New York wanted amusement, and shunned what in Boston was considered as intellectual. Their tastes were gratified by the appearance of a writer whose first book created a school of literature as distinctly marked as the Unitarian school of Boston, and more decidedly original. *The History of New York*, by *Diedrich Knickerbocker*, appeared in 1809, and stood alone. Other books of the time seemed to recognize some literary parentage. Channing and Buckminster were links in a chain of theologians and preachers. *Thanatopsis* evidently drew inspiration from Wordsworth. Diedrich Knickerbocker owed nothing to any living original.

The *History of New York* was worth more than passing notice. In the development of a national character, as well as of the literature that reflected it, humor was a trait of the utmost interest; and Washington Irving was immediately recognized as a humorist whose name, if he fulfilled the promise of his first attempt, would have a chance of passing into the society of Rabelais, Cervantes, Butler, and Sterne. Few literary tasks were more difficult than to burlesque without vulgarizing, and to satirize without malignity; yet Irving in his first effort succeeded in doing both. The old families, and serious students of colonial history, never quite forgave Irving for throwing an atmosphere of ridicule over the subject of their interest; but *Diedrich Knickerbocker's History* was so much more entertaining than ordinary histories that even historians could be excused for regretting that it should not be true. Yet the book reflected the political passions which marked the period of the Embargo. Besides the burlesque, the *History* contained satire; and perhaps its most marked trait was the good-nature which, at a time when bitterness was universal in politics, saved Irving's political satire from malignity. Irving meant that no one should mistake the character of the universal genius, Governor Wilhelmus Kieft, surnamed the Testy, who as a youth had made many curious investigations into the nature and operations of windmills, and who came well-nigh being smothered in a slough of unintelligible learning — 'a fearful peril, from the effects of which he never perfectly recovered.'

No sooner had this bustling little man been blown by a whiff of fortune into the seat of government, than he called together his council and delivered a very animated speech on the affairs of the government; . . . and here he soon worked himself into a fearful rage against the Yankees, whom he compared to the Gauls who desolated Rome, and to the Goths and

Vandals who overran the fairest plains of Europe.... Having thus artfully wrought up his tale of terror to a climax, he assumed a self-satisfied look, and declared with a nod of knowing import that he had taken measures to put a final stop to these encroachments — that he had been obliged to have recourse to a dreadful engine of warfare, lately invented, awful in its effects but authorized by direful necessity; in a word, he was resolved to conquer the Yankees — by Proclamation.

Washington Irving's political relations were those commonly known as Burrite, through his brother Peter, who edited in Burr's interest the *Morning Chronicle*. Antipathy to Jefferson was a natural result, and Irving's satire on the President was the more interesting because the subject offered temptations for ill-tempered sarcasm such as spoiled Federalist humor; but Irving seemed to have the power of deadening venom by a mere trick of hand.<sup>1</sup> Readers of the *History*, after a few years had passed, rarely remembered the satire, or supposed that the story contained it. The humor and the style remained to characterize a school.

In the face of the spontaneous burst of genius which at that moment gave to English literature and art a character distinct even in its own experience, Americans might have been excused for making no figure at all. Other periods produced one poet at a time, and measured originality by single poems; or satisfied their ambition by prose or painting of occasional merit. The nineteenth century began in England with genius as plenty as it was usually rare. To Beattie, Cowper, and Burns succeeded Wordsworth, Coleridge, Scott, Byron, Crabbe, Campbell, Charles Lamb, Moore, Shelley, and Keats. The splendor of this combination threw American and even French talent into the shade, and defied hope of rivalry; but the American mind, as far as it went, showed both freshness and originality. The divergence of American from English standards seemed insignificant to critics who required, as they commonly did, a national literature founded on some new conception — such as the Shawanee or Aztecs could be supposed to suggest; but to those who expected only a slow variation from European types, the difference was well marked. Channing and Irving were American in literature as Calhoun and Webster were American in politics. They were the product of influences as peculiar to the country as those which produced Fulton and his steamboat.

While Bryant published *Thanatopsis* and Irving made his studies for the *Sketch-Book*, another American of genius perhaps superior to theirs

— Washington Allston — was painting in London, before returning to pass the remainder of his life in the neighborhood of Boston and Harvard College. Between thirty and forty years of age, Allston was then in the prime of his powers; and even in a circle of artists which included Turner, Wilkie, Mulready, Constable, Callcott, Crome, Cotman, and a swarm of others equally famous, Allston was distinguished. Other Americans took rank in the same society. Leslie and Stuart Newton were adopted into it, and Copley died only in 1815, while Trumbull painted in London till 1816; but remarkable though they were for the quality of their art, they belonged to a British school and could be claimed as American only by blood. Allston stood in a relation somewhat different. In part, his apparent Americanism was due to his later return and to his identification with American society; but the return itself was probably caused by a peculiar bent of character. His mind was not wholly English.

Allston's art and his originality were not such as might have been expected from an American or such as Americans were likely to admire; and the same might be said of Leslie and Stuart Newton. Perhaps the strongest instance of all was Edward Malbone, whose grace of execution was not more remarkable than his talent for elevating the subject of his exquisite work. So far from sharing the imagination of Shawnee Indians or even of Democrats, these men instinctively reverted to the most refined and elevated schools of art. Not only did Allston show from the beginning of his career a passion for the nobler standards of his profession, but also for technical quality — a taste less usual.

Allston was also singular in the liberality of his sympathies. ‘I am by nature, as it respects the arts, a wide liker,’ he said. In Rome he became acquainted with Coleridge; and the remark of Coleridge which seemed to make most impression on him in their walks ‘under the pines of the Villa Borghese’ was evidently agreeable because it expressed his own feelings. ‘It was there he taught me this golden rule: never to judge of any work of art by its defects.’ His admiration for the classics did not prevent him from admiring his contemporaries; his journey through Switzerland not only showed him a new world of Nature, but also ‘the truth of Turner’s Swiss scenes — the poetic truth — which none before or since have given.’

Other painters, besides those whose names have been mentioned, were American or worked in America, as other writers besides Bryant and

Irving, and other preachers besides Buckminster and Channing, were active in their professions; but for national comparisons, types alone serve. In the course of sixteen years certain Americans became distinguished. Among these, suitable for types, were Calhoun and Clay in Congress, Pinkney and Webster at the bar, Buckminster and Channing in the pulpit, Bryant and Irving in literature, Allston and Malbone in painting. These men varied greatly in character and qualities. Some possessed strength, and some showed more delicacy than vigor; some were humorists, and some were incapable of a thought that was not serious; but all were marked by a keen sense of form and style. So little was this quality expected that the world inclined to regard them as un-American because of their refinement. Frenchmen and Italians and even Englishmen, who knew nothing of America but its wildness, were disappointed that American oratory should be only a variation from Fox and Burke; that American literature should reproduce Steele and Wordsworth; and that American art should, at its first bound, go back to the ideals of Raphael and Titian. The incongruity was evident. The Americans themselves called persistently for a statesmanship, religion, literature, and art which should be American; and they made a number of experiments to produce what they thought their ideals. In substance they continued to approve nothing which was not marked by style as its chief merit. The oratory of Webster and Calhoun, and even of John Randolph, bore the same general and common character of style. The poetry of Bryant, the humor of Irving, the sermons of Channing, and the painting of Allston were the objects of permanent approval to the national mind. Style remained its admiration, even when every newspaper protested against the imitation of outworn forms. Dennie and Jefferson, agreeing in nothing else, agreed in this; the South Carolinian Allston saw color as naturally as the New Englander Bryant heard rhythm; and a people which seemed devoid of sense or standards of beauty showed more ambition than older societies to acquire both.

Nothing seemed more certain than that the Americans were not artistic, that they had as a people little instinct of beauty; but their intelligence in its higher as in its lower forms was both quick and refined. Such literature and art as they produced showed qualities akin to those which produced the swift-sailing schooner, the triumph of naval architecture. If the artistic instinct weakened, the quickness of intelligence increased.

## CHAPTER ONE HUNDRED AND SIX

*American Character*

UNTIL 1815 nothing in the future of the American Union was regarded as settled. As late as January, 1815, division into several nationalities was still thought to be possible. Such a destiny, repeating the usual experience of history, was not necessarily more unfortunate than the career of a single nationality wholly American; for if the effects of divided nationality were certain to be unhappy, those of a single society with equal certainty defied experience or sound speculation. One uniform and harmonious system appealed to the imagination as a triumph of human progress, offering prospects of peace and ease, contentment and philanthropy, such as the world had not seen; but it invited dangers, formidable because unusual or altogether unknown. The corruption of such a system might prove to be proportionate with its dimensions, and uniformity might lead to evils as serious as were commonly ascribed to diversity.

The laws of human progress were matter not for dogmatic faith, but for study; and although society instinctively regarded small States, with their clashing interests and incessant wars, as the chief obstacle to improvement, such progress as the world knew had been coupled with those drawbacks. The few examples offered by history of great political societies, relieved from external competition or rivalry, were not commonly thought encouraging. War had been the severest test of political and social character, laying bare whatever was feeble, and calling out whatever was strong; and the effect of removing such a test was an untried problem.

In 1815 for the first time Americans ceased to doubt the path they were to follow. Not only was the unity of their nation established, but its probable divergence from older societies was also well defined. Already in 1817 the difference between Europe and America was decided. In politics the distinction was more evident than in social, religious, literary, or scientific directions; and the result was singular. For a time the aggressions of England and France forced the United States into a path that seemed to lead toward European methods of government; but the popular resistance, or inertia, was so great that the most popular party leaders failed to overcome it, and no sooner did foreign dangers

disappear than the system began to revert to American practices; the National Government tried to lay aside its assumed powers. When Madison vetoed the bill for internal improvements, he could have had no other motive than that of restoring to the Government, as far as possible, its original American character.

The result was not easy to understand in theory or to make efficient in practice; but while the drift of public opinion, and still more of practical necessity, drew the Government slowly toward the European standard of true political sovereignty, nothing showed that the compromise, which must probably serve the public purpose, was to be European in form or feeling. As far as politics supplied a test, the national character had already diverged from any foreign type. Opinions might differ whether the political movement was progressive or retrograde, but in any case the American, in his political character, was a new variety of man.

The social movement was also decided. The war gave a severe shock to the Anglican sympathies of society, and peace seemed to widen the breach between European and American tastes. Interest in Europe languished after Napoleon's overthrow. France ceased to affect American opinion. England became an object of less alarm. Peace produced in the United States a social and economical revolution which greatly curtailed the influence of New England and with it the social authority of Great Britain. The invention of the steamboat counterbalanced ocean commerce. The South and West gave to society a character more aggressively American than had been known before. That Europe, within certain limits, might tend toward American ideas was possible, but that America should under any circumstances follow the experiences of European development might thenceforward be reckoned as improbable. American character was formed, if not fixed.

The scientific interest of American history centered in national character and in the workings of a society destined to become vast, in which individuals were important chiefly as types. Although this kind of interest was different from that of European history, it was at least as important to the world. In Europe or Asia, except perhaps in China, undisturbed social evolution had been unknown. Without disturbance, evolution seemed to cease. Wherever disturbance occurred, permanence was impossible. Every people in turn adapted itself to the law of necessity. Such a system as that of the United States could hardly have

existed for half a century in Europe except under the protection of another power. In the fierce struggle characteristic of European society, systems were permanent in nothing except in the general law, that, whatever other character they might possess, they must always be chiefly military.

The want of permanence was not the only or the most confusing obstacle to the treatment of European history as a science. The intensity of the struggle gave prominence to the individual, until the hero seemed all, society nothing; and what was worse for science, the men were far more interesting than the societies. In the dramatic view of history, the hero deserved more to be studied than the community to which he belonged; in truth, he was the society, which existed only to produce him and to perish with him. Against such a view historians were among the last to protest, and protested but faintly when they did so at all. They felt as strongly as their audiences that the highest achievements were alone worth remembering either in history or in art, and that a reiteration of commonplaces was commonplace. With all the advantages of European movement and color, few historians succeeded in enlivening or dignifying the lack of motive, intelligence, and morality, the helplessness characteristic of many long periods in the face of crushing problems, and the futility of human efforts to escape from difficulties religious, political, and social. In a period extending over four or five thousand years, more or less capable of historical treatment, historians were content to illustrate here and there the most dramatic moments of the most striking communities. The hero was their favorite. War was the chief field of heroic action, and even the history of England was chiefly the story of war.

The history of the United States promised to be free from such disturbances. War counted for little, the hero for less; on the people alone the eye could permanently rest. The steady growth of a vast population without the social distinctions that confused other histories — without kings, nobles, or armies; without church, traditions, and prejudices — seemed a subject for the man of science rather than for dramatists or poets. To scientific treatment only one great obstacle existed. Americans, like Europeans, were not disposed to make of their history a mechanical evolution. They felt that they even more than other nations needed the heroic element, because they breathed an atmosphere of peace

and industry where heroism could seldom be displayed; and in unconscious protest against their own social conditions they adorned with imaginary qualities scores of supposed leaders, whose only merit was their faculty of reflecting a popular trait. Instinctively they clung to ancient history as though conscious that of all misfortunes that could befall the national character, the greatest would be the loss of the established ideals which alone ennobled human weakness. Without heroes, the national character of the United States had few charms of imagination even to Americans.

Historians and readers maintained Old-World standards. No historian cared to hasten the coming of an epoch when man should study his own history in the same spirit and by the same methods with which he studied the formation of a crystal. Yet history had its scientific as well as its human side, and in American history the scientific interest was greater than the human. Elsewhere the student could study under better conditions the evolution of the individual, but nowhere could he study so well the evolution of a race. The interest of such a subject exceeded that of any other branch of science, for it brought mankind within sight of its own end.

Travelers in Switzerland who stepped across the Rhine where it flowed from its glacier could follow its course among medieval towns and feudal ruins, until it became a highway for modern industry, and at last arrived at a permanent equilibrium in the ocean. American history followed the same course. With prehistoric glaciers and medieval feudalism the story had little to do; but from the moment it came within sight of the ocean it acquired interest almost painful. A child could find his way in a river valley, and a boy could float on the waters of Holland; but science alone could sound the depths of the ocean, measure its currents, foretell its storms, or fix its relations to the system of Nature. In a democratic ocean science could see something ultimate. Man could go no farther. The atom might move, but the general equilibrium could not change.

Whether the scientific or the heroic view were taken, in either case the starting-point was the same, and the chief object of interest was to define national character. Whether the figures of history were treated as heroes or as types, they must be taken to represent the people. American types were especially worth study if they were to represent the greatest

democratic evolution the world could know. Readers might judge for themselves what share the individual possessed in creating or shaping the nation; but whether it was small or great, the nation could be understood only by studying the individual. For that reason, in the story of Jefferson and Madison individuals retained their old interest as types of character, if not as sources of power.

In the American character antipathy to war ranked first among political traits. The majority of Americans regarded war in a peculiar light, the consequence of comparative security. No European nation could have conducted a war as the people of America conducted the War of 1812. The possibility of doing so without destruction explained the existence of the national trait, and assured its continuance. In politics, the divergence of America from Europe perpetuated itself in the popular instinct for peaceable methods. The Union took shape originally on the general lines that divided the civil from the military elements of the British Constitution. The party of Jefferson and Gallatin was founded on dislike of every function of government necessary in a military system. Although Jefferson carried his pacific theories to an extreme and brought about a military reaction, the reactionary movement was neither universal, violent, nor lasting; and society showed no sign of changing its convictions. With greater strength the country might acquire greater familiarity with warlike methods, but in the same degree was less likely to suffer any general change of habits. Nothing but prolonged intestine contests could convert the population of an entire continent into a race of warriors.

A people whose chief trait was antipathy to war and to any system organized with military energy could scarcely develop great results in national administration; yet the Americans prided themselves chiefly on their political capacity. Even the war did not undeceive them, although the incapacity brought into evidence by the war was undisputed and was most remarkable among the communities which believed themselves to be most gifted with political sagacity. Virginia and Massachusetts by turns admitted failure in dealing with issues so simple that the newest societies, like Tennessee and Ohio, understood them by instinct. That incapacity in national politics should appear as a leading trait in American character was unexpected by Americans, but might naturally result from their conditions. The better test of American character was

not political but social, and was to be found, not in the Government, but in the people.

The sixteen years of Jefferson's and Madison's rule furnished international tests of popular intelligence upon which Americans could depend. The ocean was the only open field for competition among nations. Americans enjoyed there no natural or artificial advantages over Englishmen, Frenchmen, or Spaniards; indeed, all these countries possessed navies, resources, and experience greater than were to be found in the United States. Yet the Americans developed, in the course of twenty years, a surprising degree of skill in naval affairs. The evidence of their success was to be found nowhere so complete as in the avowals of Englishmen who knew best the history of naval progress. The American invention of the fast-sailing schooner or clipper was the more remarkable because, of all American inventions, this alone sprang from direct competition with Europe. During ten centuries of struggle the nations of Europe had labored to obtain superiority over each other in ship-construction, yet Americans instantly made improvements which gave them superiority, and which Europeans were unable immediately to imitate even after seeing them. Not only were American vessels better in model, faster in sailing, easier and quicker in handling, and more economical in working than the European, but they were also better equipped. The English complained as a grievance that the Americans adopted new and unwarranted devices in naval warfare; that their vessels were heavier and better constructed, and their missiles of unusual shape and improper use. The Americans resorted to expedients that had not been tried before, and excited a mixture of irritation and respect in the English service until Yankee smartness became a national misdemeanor.

The English admitted themselves to be slow to change their habits, but the French were both quick and scientific; yet Americans did on the ocean what the French, under stronger inducements, failed to do. The French privateer preyed upon British commerce for twenty years without seriously injuring it; but no sooner did the American privateer sail from French ports than the rates of insurance doubled in London, and an outcry for protection arose among English shippers which the Admiralty could not calm. The British newspapers were filled with assertions that the American cruiser was the superior of any vessel of its class and threatened to overthrow England's supremacy on the ocean.

Another test of relative intelligence was furnished by the battles at sea. Instantly after the loss of the *Guerrière* the English discovered and complained that American gunnery was superior to their own. They explained their inferiority by the length of time that had elapsed since their navy had found on the ocean an enemy to fight. Every vestige of hostile fleets had been swept away, until, after the battle of Trafalgar, British frigates ceased practice with their guns. Doubtless the British navy had become somewhat careless in the absence of a dangerous enemy, but Englishmen were themselves aware that some other cause must have affected their losses. Nothing showed that Nelson's line-of-battle ships, frigates, or sloops were as a rule better fought than the *Macedonian* and *Java*, the *Avon* and *Reindeer*. Sir Howard Douglas, the chief authority on the subject, attempted in vain to explain British reverses by the deterioration of British gunnery. His analysis showed only that American gunnery was extraordinarily good. Of all vessels, the sloop-of-war — on account of its smallness, its quick motion, and its more accurate armament of thirty-two-pound carronades — offered the best test of relative gunnery, and Sir Howard Douglas in commenting upon the destruction of the *Peacock* and *Avon* could only say, 'In these two actions it is clear that the fire of the British vessels was thrown too high, and that the ordnance of their opponents were expressly and carefully aimed at and took effect chiefly in the hull.'

None of the reports of former British victories showed that the British fire had been more destructive at any previous time, than in 1812, and no report of any commander since the British navy existed showed so much damage inflicted on an opponent in so short a time as was proved to have been inflicted on themselves by the reports of British commanders in the American war. The strongest proof of American superiority was given by the best British officers, like Broke, who strained every nerve to maintain an equality with American gunnery. So instantaneous and energetic was the effort that, according to the British historian of the war, 'a British forty-six-gun frigate of 1813 was half as effective again as a British forty-six-gun frigate of 1812'; and, as he justly said, 'the slaughtered crews and the shattered hulls' of the captured British ships proved that no want of their old fighting qualities accounted for their repeated and almost habitual mortifications.

Unwilling as the English were to admit the superior skill of Americans

on the ocean, they did not hesitate to admit it, in certain respects, on land. The American rifle in American hands was affirmed to have no equal in the world. This admission could scarcely be withheld after the lists of killed and wounded which followed almost every battle; but the admission served to check a wider inquiry. In truth, the rifle played but a small part in the war. Winchester's men at the river Raisin may have owed their overconfidence, as the British Forty-First owed its losses, to that weapon, and at New Orleans five or six hundred of Coffee's men, who were out of range, were armed with the rifle; but the surprising losses of the British were commonly due to artillery and musketry fire. At New Orleans the artillery was chiefly engaged. The artillery battle of January 1, according to British accounts, amply proved the superiority of American gunnery on that occasion, which was probably the fairest test during the war. The battle of January 8 was also chiefly an artillery battle; the main British column never arrived within fair musket range; Pakenham was killed by a grapeshot, and the main column of his troops halted more than one hundred yards from the parapet.

The best test of British and American military qualities, both for men and weapons, was Scott's battle of Chippawa. Nothing intervened to throw a doubt over the fairness of the trial. Two parallel lines of regular soldiers, practically equal in numbers, armed with similar weapons, moved in close order toward each other, across a wide open plain, without cover or advantage of position, stopping at intervals to load and fire, until one line broke and retired. At the same time two three-gun batteries, the British being the heavier, maintained a steady fire from positions opposite each other. According to the reports, the two infantry lines in the center never came nearer than eighty yards. Major-General Riall reported that then, owing to severe losses, his troops broke and could not be rallied. Comparison of the official reports showed that the British lost in killed and wounded four hundred and sixty-nine men; the Americans, two hundred and ninety-six. Some doubts always affect the returns of wounded, because the severity of the wound cannot be known; but dead men tell their own tale. Riall reported one hundred and forty-eight killed; Scott reported sixty-one. The severity of the losses showed that the battle was sharply contested and proved the personal bravery of both armies. Marksmanship decided the result, and the returns proved that the American fire was superior to that of the British in the

proportion of more than fifty per cent if estimated by the entire loss, and of two hundred and forty-two to one hundred if estimated by the deaths alone.

The conclusion seemed incredible, but it was supported by the results of the naval battles. The Americans showed superiority amounting in some cases to twice the efficiency of their enemies in the use of weapons. The best French critic of the naval war, Jurien de la Gravière said: 'An enormous superiority in the rapidity and precision of their fire can alone explain the difference in the losses sustained by the combatants.' So far from denying this conclusion, the British press constantly alleged it and the British officers complained of it. The discovery caused great surprise, and in both British services much attention was at once directed to improvement in artillery and musketry. Nothing could exceed the frankness with which Englishmen avowed their inferiority. According to Sir Francis Head, 'gunnery was in naval warfare in the extraordinary state of ignorance we have just described, when our lean children, the American people, taught us, rod in hand, our first lesson in the art.' The English textbook on naval gunnery, written by Major-General Sir Howard Douglas immediately after the peace, devoted more attention to the short American war than to all the battles of Napoleon, and began by admitting that Great Britain had 'entered with too great confidence on war with a marine much more expert than that of any of our European enemies.' The admission appeared 'objectionable' even to the author; but he did not add, what was equally true, that it applied as well to the land as to the sea service.

Another significant result of the war was the sudden development of scientific engineering in the United States. This branch of the military service owed its efficiency and almost its existence to the military school at West Point, established in 1802. The school was at first much neglected by Government. The number of graduates before the year 1812 was very small; but at the outbreak of the war the corps of engineers was already efficient. Its chief was Colonel Joseph Gardner Swift of Massachusetts, the first graduate of the Academy: Colonel Swift planned the defenses of New York Harbor. The lieutenant-colonel in 1812 was Walker Keith Armistead of Virginia — the third graduate, who planned the defenses of Norfolk. Major William McRee of North Carolina became chief engineer to General Brown, and constructed the fortifications

at Fort Erie, which cost the British General Gordon Drummond the loss of half his army, besides the mortification of defeat. Captain Eleazer Derby Wood of New York constructed Fort Meigs, which enabled Harrison to defeat the attack of Proctor in May, 1813. Captain Joseph Gilbert Totten of New York was chief engineer to General Izard at Plattsburg, where he directed the fortifications that stopped the advance of Prevost's great army. None of the works constructed by a graduate of West Point was captured by the enemy; and had an engineer been employed at Washington by Armstrong and Winder, the city would have been easily saved.

Perhaps without exaggeration the West Point Academy might be said to have decided, next to the navy, the result of the war. The works at New Orleans were simple in character, and as far as they were due to engineering skill were directed by Major Latour, a Frenchman; but the war was already ended when the battle of New Orleans was fought. During the critical campaign of 1814, the West Point engineers doubled the capacity of the little American army for resistance and introduced a new and scientific character into American life.

In the application of science the steamboat was the most striking success; but Fulton's invention, however useful, was neither the most original nor the most ingenious of American efforts, nor did it offer the best example of popular characteristics. Perhaps Fulton's torpedo and Stevens's screw-propeller showed more originality than was proved by the *Clermont*. The fast-sailing schooner with its pivot-gun — an invention that grew out of the common stock of nautical intelligence — best illustrated the character of the people.

That the individual should rise to a higher order either of intelligence or morality than had existed in former ages was not to be expected, for the United States offered less field for the development of individuality than had been offered by older and smaller societies. The chief function of the American Union was to raise the average standard of popular intelligence and well-being, and at the close of the War of 1812 the superior average intelligence of Americans was so far admitted that Yankee acuteness, or smartness, became a national reproach; but much doubt remained whether the intelligence belonged to a high order or proved a high morality. From the earliest ages, shrewdness was associated with unscrupulousness; and Americans were freely charged with

wanting honesty. The charge could neither be proved nor disproved. American morality was such as suited a people so endowed, and was high when compared with the morality of many older societies; but, like American intelligence, it discouraged excess. Probably the political morality shown by the Government and by public men during the first sixteen years of the century offered a fair gauge of social morality. Like the character of the popular inventions, the character of the morals corresponded to the wants of a growing democratic society; but time alone could decide whether it would result in a high or a low national ideal.

Another intellectual trait, as has been already noticed, was the disposition to relax severity. Between the theology of Jonathan Edwards and that of William Ellery Channing was an enormous gap, not only in doctrines but also in methods. Whatever might be thought of the conclusions reached by Edwards and Hopkins, the force of their reasoning commanded respect. Not often had a more strenuous effort than theirs been made to ascertain God's will and to follow it without regard to weaknesses of the flesh. The idea that the nature of God's attributes was to be preached only as subordinate to the improvement of man agreed little with the spirit of their religion. The Unitarian and Universalist movements marked the beginning of an epoch when ethical and humanitarian ideas took the place of metaphysics, and even New England turned from contemplating the omnipotence of the Deity in order to praise the perfections of His creatures.

The spread of great popular sects like the Universalists and Campbellites, founded on assumptions such as no Orthodox theology could tolerate, showed a growing tendency to relaxation of thought in that direction. The struggle for existence was already mitigated, and the first effect of the change was seen in the increasing cheerfulness of religion. For the first time in history, great bodies of men turned away from their old religion, giving no better reason than that it required them to believe in a cruel Deity, and rejected necessary conclusions of theology because they were inconsistent with human self-esteem.

The same optimism marked the political movement. Society was weary of strife, and settled gladly into a political system which left every disputed point undetermined. The public seemed obstinate only in believing that all was for the best, as far as the United States were concerned, in the affairs of mankind. The contrast was great between

this temper of mind and that in which the Constitution had been framed; but it was no greater than the contrast in the religious opinions of the two periods, while the same reaction against severity marked the new literature. The rapid accumulation of wealth and increase in physical comfort told the same story from the standpoint of economy. On every side society showed that ease was for a time to take the place of severity and enjoyment was to have its full share in the future national existence.

The traits of intelligence, rapidity, and mildness seemed fixed in the national character as early as 1817, and were likely to become more marked as time should pass. A vast amount of conservatism still lingered among the people; but the future spirit of society could hardly fail to be intelligent, rapid in movement, and mild in method. If at any time American character should change, it might as probably become sluggish as revert to the violence and extravagances of Old-World development. The inertia of several hundred million people, all formed in a similar social mold, was as likely to stifle energy as to stimulate evolution.

With the establishment of these conclusions, a new episode in American history began in 1815. New subjects demanded new treatment, no longer dramatic but steadily tending to become scientific. The traits of American character were fixed; the rate of physical and economical growth was established; and history, certain that at a given distance of time the Union would contain so many millions of people, with wealth valued at so many millions of dollars, became thenceforward chiefly concerned to know what kind of people these millions were to be. They were intelligent, but what paths would their intelligence select? They were quick, but what solution of insoluble problems would quickness hurry? They were scientific, and what control would their science exercise over their destiny? They were mild, but what corruptions would their relaxations bring? They were peaceful, but by what machinery were their corruptions to be purged? What interests were to vivify a society so vast and uniform? What ideals were to ennoble it? What object, besides physical content, must a democratic continent aspire to attain? For the treatment of such questions, history required another century of experience.

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